



Rowan County Zoning Board of Adjustment

J. Newton Cohen, Sr. Rowan County Administration Building

130 W. Innes Street, Salisbury, N.C. 28144-4341

J. Newton Cohen, Sr. Meeting Room

May 19, 2009 Agenda

- I. Call to Order at 7:00 p.m.**
- II. Invocation & Pledge of Allegiance**
- III. Consider Adoption of Minutes from April 28, 2009**
Item Note: Refer to item #3 in agenda packet.
- IV. Consider Adoption of the Agenda**
- V. Consider Proposed Amendments to Rules of Procedures**
Item Note: The reduction in ZBA composition from 7 members and 3 alternates to 5 members and 2 alternates was approved by the Board of Commissioners April 2, 2007. However, the Rules of Procedure were not amended to reflect this change. The suggested revisions were discussed at the 4-28-09 ZBA meeting and are depicted in the following manner: proposed deletions are ~~strikethrough text~~ and proposed additions as **red text**. Refer to item #5 in the agenda packet.
- VI. ZBA-01-09: Appeal of Zoning Administrator's Decision**
Item Note: The Board will decide the legal interpretation of Section 21-277(d) as it relates to an appeal filed on behalf of Mr. Richard Parker that contends his, "project is exempted from the conditional use permitting process pursuant to Section 21-277(d) of the Rowan County ordinance, ...". Mr. Parker's application and relevant section excerpted from the County's zoning ordinance are contained in the agenda packet as item #6.
- VII. Other Business**
- VIII. Adjournment**

Next ZBA Meeting: Tuesday, June 9, 2009 at 5:30 p.m.



Rowan County Zoning Board of Adjustment

J. Newton Cohen, Sr. Rowan County Administration Building

130 W. Innes Street, Salisbury, N.C. 28144-4341

J. Newton Cohen, Sr. Meeting Room

Minutes of the Meeting Zoning Board of Adjustment Tuesday April 28, 2009 5:30 PM

Members Present: Jim Ogg
Rodney Goins
Gwen Graham
Jeff Morris
Patricia Gilbert
Glenn Shimmel
Jack Fisher

Staff Present: Ed Muire, Planning Director
Shane Stewart, Senior Planner
Teresa Sharpless, Clerk

Others Present: Stephen E. Davenport, Guest Speaker
Jay Dees, County Attorney
Carl Ford, Commissioner Liaison

Item I. Call meeting to order

Ed Muire called the meeting to order at 5:30 PM. Mr. Muire suggested to members that staff would conduct the meeting until the board elected a new Chairman. A quorum was established with all (5) members and (2) alternates present.

Item II. Invocation and Pledge of Allegiance

Mr. Muire asked the seated members if anyone wanted to lead the Invocation and Pledge of Allegiance. Jack Fisher volunteered and lead staff, members, and others present in the Invocation and Pledge of Allegiance.

Item III. Introduction of Members and Staff

Mr. Muire introduced staff present as well as Commissioner Liaison Carl Ford, County Attorney Jay Dees, and guest speaker Stephen Davenport. Members then introduced themselves to all present.

Item IV. Oath of Office

Bretta Matthews, Rowan County Magistrate, called the new members to the front and administered the Oath of Office. The new members who took the oath of office are as follows: Jack Fisher, Patricia Gilbert, Jeff Morris, and Glenn Shimmel.

Item V. Acceptance of Minutes

Mr. Muire stated that the last meeting held for the zoning board of adjustment was on December 11, 2007. Since the composition of the board has change significantly since that time, Mr. Muire informed members that the County Attorney has suggested that the board *accept* the minutes presented as opposed to *adopting*.

Jeff Morris made a motion to accept the minutes, followed by Jack Fisher. All members were in favor of accepting the minutes from December 11, 2007.

Item VI. Election of Officers

Mr. Muire asked the board for their nominations for chairman. *Rodney Goins made a motion to nominate Jeff Morris for Chairman*; with no other nominations given, *Jack Fisher made a motion to close nominations. The board then unanimously approved Jeff Morris as Chairman.*

At this time Jeff Morris took over the meeting from staff as the new Chairman of the Zoning Board of Adjustments.

Chairman Morris then asked member for their nominations for Vice Chairman of the Board. *Patricia Gilbert nominated Gwen Graham for Vice Chairman.* With no other nominations given, *the board unanimously approved Gwen Graham as Vice Chairman.*

Item VII. The Role and Duties of the Zoning Board of Adjustment

Chairman Morris introduced Mr. Stephen Davenport, AICP, and guest speaker for the training session. Mr. Davenport gave members a background on himself and then did a presentation for members with an overview of the role and duties of the Zoning Board of Adjustment. Some of the highlighted topics discussed were as follows:

- Variance and appeal cases
- Membership and voting rules
- Evaluation criteria
- Rules of Procedure
- Outline of a meeting
- Quasi-Judicial Proceedings Including:
 - Evidence
 - Burden of proof
 - Ex parte communications
 - Impartial decision making

Mr. Davenport provided examples of cases and outcomes for members. Mr. Davenport ended his presentation by inviting questions from the board.

Gwen Graham asked Mr. Davenport if it would be acceptable for members to go on site visits to look at the properties in question. Mr. Davenport answered that members would need to go by themselves and not discuss it with anyone or talk to property owners. Chairman Morris stated that his thoughts on site visits were, if a member was to do a site visit they would put themselves in a situation to become a witness and be cross examined. Chairman Morris stated he would clarify that with Jay Dees at a later time.

County Attorney Jay Dees informed members he wanted to follow up on some important information from Mr. Davenport's presentation.

- Referring to site visits Mr. Dees stated that normally staff's case presentation should eliminate any need for site visits. Mr. Dees also stated if members feel they need to do a site visit, they should suspend the public hearing, go as a group, and then come back to the meeting and reconvene.
- Discussed conflicts of interest and ex parte communication with members. He stated that the board represents the citizens of Rowan County and outside communication is prohibited. He informed board members they should not discuss cases amongst themselves out side of meetings.
- Setting time limits on testimony. Mr. Dees stated the Chairman could stop testimony at any time if he feels it is redundant, and the board is allowed to set time limits for testimony.

Chairman Morris asked Mr. Dees if a situation before the board is time consuming, can the board request that the attorney's for both sides get together and "time frame" the meeting. Mr. Dees said that was acceptable and also offered a suggestion of groups having a spokesperson, to focus on all the factual testimony to keep testimony from becoming long and redundant.

Item VIII. Amendments to Rules of Procedure

**Mr. Muire passed out a handout to members; handout to be agenda item VIII supplement.*

Mr. Muire stated there was a reduction in the board's membership from 7 members and 3 alternates to 5 members and 2 alternates that were approved by the board of commissioners April 2, 2007. However, the rules of procedure were not amended to reflect this change. Mr. Muire informed staff that along with these changes he wanted to add text in from the supplement handout to the Rules of Procedure.

**Deleted text shown with strikethroughs*

Amendments shown in **bold text*

** Added text from supplement Handout shown in red*

III. MEMBERSHIP

The Board of Adjustment shall consist of ~~seven~~ **five** [5] regular members and ~~three~~ **two** [2] alternate members. ~~Four~~ **Three** [3] members shall reside in the County outside the extraterritorial jurisdiction of a municipality and the three remaining members may be from any location within the County. The ~~three~~ **two** [2] alternates may reside at any

location within the County. A Rowan County Commissioner shall serve as an ex officio non-voting member of the Board of Adjustment.

IV. ALTERNATE MEMBERS

Except at the election of officers, at no time shall more than ~~7 (seven)~~ five [5] members participate officially in any meeting or hearing.

V. RULES OF CONDUCT FOR MEMBERS

F. A member of the board or any other body exercising the functions of a board of adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

VI. MEETINGS

C. *Cancellation of Meetings.* If there are no appeals, applications for ~~special-use permits or~~ variances, or other business for the Board, or if so many regular and alternate members notify the secretary that they cannot attend that a quorum will not be available, the chairman may dispense with a regular meeting by giving written or oral notice to all members not less than 24 (twenty-four) hours before the time set for the meeting.

D. *Quorum.* A quorum shall consist of 4 (four) members of the Board, but the Board shall not pass on any question relating to an appeal from a decision, order, requirement, or determination of the Zoning Administrator or an application for a variance ~~or special use permit~~ when fewer than ~~6 (six)~~ five [5] members are present.

E. *Voting.* All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section ~~IV~~ V. The required vote to decide appeals and applications shall be as provided in Section VII, D,4, and shall not be reduced by any disqualification. In all other matters, the vote of a majority of the members present and voting shall decide issues before the Board.

VII. APPEALS AND VARIANCES

A. *Types of Appeals.* The Board shall hear and decide all requests for variances and appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator. It shall also hear and decide all matters referred to it or on which the Rowan County Zoning Ordinance requires it to ~~pass~~ consider. In deciding cases, the Board may hear appeals based on an allegedly improper or erroneous interpretation of the ordinance and variances based on alleged hardship resulting from strict interpretation of the ordinance.

C. Hearings.

4. *Oaths.* The Chairman of the board of adjustment or any member temporarily acting as chairman may in his official capacity administer oaths to witnesses in any matter coming before the board.

5. *Subpoena.* The board of adjustment may subpoena witnesses and compel the production of evidence. If a person fails or refuses to obey a subpoena issued pursuant of this subsection, the board of adjustment may apply to the General Court of Justice for an order requiring that its order be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties. No testimony of any witnesses before the board of adjustment pursuant to a subpoena issued in exercise of the power conferred by this subsection may be used against the witness in the trial of any civil or criminal action other than a prosecution for false swearing committed on the examination. Any person who, while under oath during a proceeding before the board of adjustment, willfully swears falsely is guilty of a Class 1 misdemeanor.

D. Decisions

2. *Form.* The Board's final decision shall be shown in the record of the case as entered in the Board's minutes and signed by the secretary and the chairman on approval of the minutes by the Board. Such record shall show the reasons for the determinations, with a summary of the evidence introduced and the findings of fact made by the Board. When a variance is granted, the record shall state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist. The decision may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from. ~~When a conditional use permit is granted, the record shall state in detail any facts that support findings required to be made before such permit is issued.~~ The record shall state in detail what, if any, conditions and safeguards the Board imposes in connection with granting of a variance ~~or a conditional use permit.~~ A separate record of the decision in each case shall be prepared, filed in the Planning Department, and furnished to the parties as specified in Subsection 5.

3. *Expiration of Permits.* Unless otherwise specified, any order or decision of the Board granting a ~~conditional use permit or a variance~~ shall expire if the applicant does not obtain a building permit or certificate of occupancy for such use within six (6) months from the date of the decision.

~~4. *Rehearings.* An application for a rehearing may be made in the same manner as an application for an original hearing. Evidence in support of the application shall initially be limited to what is necessary to enable the Board to determine whether there has been a substantial change in the facts, evidence, or conditions in the case. The Board shall deny the application for rehearing if, from the record, it finds that there has been no substantial change in facts, evidence or conditions. If the Board finds that a change has occurred, it shall thereupon treat the request in the same manner as any other application.~~

4. *Four-fifths vote.* The board of adjustment, by a vote of four-fifths of its members, may reverse any order, requirement, decision, or determination of an administrative officer charged with enforcing an ordinance adopted pursuant to this Part, or may decide in favor of the applicant a matter upon which the board is required to pass under the ordinance, or may grant a variance from the provisions of the ordinance. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite supermajority if there are no qualified alternates available to take the place of such members.

6. *Judicial Review 30 days to appeal.* Each decision of the board is subject to review by the superior court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the clerk of superior court within 30 days after the decision of the board is filed in such office as the ordinance specifies, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the secretary or chairman of the board at the time of its hearing of the case, whichever is later. The decision of the board may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested.

VIII. AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than ~~5 (five)~~ **four [4]** members of the Board, provided that such notice of amendment be given to members at least 48 (forty-eight) hours prior to the meeting and be presented in writing at a regular or special meeting before the meeting at which the vote is taken.

Chairman Morris asked Mr. Muire if an amendment could be made to the rules of procedure under *VI. Meetings section D. Quorum* that states if only 4 members are present at a meeting, they could make a ruling on a case as long as it is unanimous. Mr. Muire stated he would make the amendment and email it to Chairman Morris for his approval.

After further discussion the board decided to differ Item VIII Amendments to Rules of Procedure and make it the first item to be voted on at the next meeting. *Rodney Goins made a motion in favor, seconded by Jim Ogg. All members were in favor and the motion carried unanimously.*

Item IX. Adjournment

Chairman Morris suggested since the board doesn't meet regularly, that the board have quarterly meetings to include trainings. Mr. Muire and the other board members agreed.

Members discussed the next meeting date of May 12, 2009. Due to some members having schedule conflicts members discussed a new meeting date and time. After discussion members decided to meet on May 19, 2009 at 7:00 PM. *Jack Fisher*

made a motion to accept the new meeting time, followed by Rodney Goins. All members were in favor and the motion carried unanimously.

With no other business to discuss the meeting was adjourned.

Respectfully Submitted,

Teresa Sharpless, Clerk to the board

Date

**RULES OF PROCEDURE
ZONING BOARD OF ADJUSTMENT
Rowan County
North Carolina**

I. GENERAL RULES

The Zoning Board of Adjustment shall be governed by the terms of Chapter 153A, Article 18, Part 3 of the General Statutes of North Carolina and by the Zoning Ordinance of Rowan County. All members of the Board shall thoroughly familiarize themselves with these laws.

II. OFFICERS AND DUTIES

A. Chairman. A chairman shall be elected by the full membership (including alternate members) of the Board of Adjustment from among its regular members. His term of office shall be one year and until his successor is elected, beginning on January 1, he shall be eligible for re-election. The chairman shall decide on all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The chairman shall appoint any committees found necessary to investigate any matters before the Board.

B. Vice Chairman. A vice-chairman shall be elected by the Board from among its regular members in the same manner and for the same term as the chairman. He shall serve as acting chairman in the chairman's absence, and at such times he shall have the same powers and duties as the chairman.

C. Secretary. A secretary shall be appointed by the chairman of the Board, either from within its membership or from outside, to hold office during the term of the chairman and/or until a successor secretary has been appointed. The secretary shall be eligible for reappointment. The secretary, subject to the direction of the chairman and the Board, shall keep all records, shall conduct all correspondence of the Board, shall arrange for all public notices required to be given, shall notify members of pending meetings and their agenda, shall notify parties to cases before the Board of its decision on such cases, and shall generally supervise the clerical work of the Board. The secretary shall keep the minutes of every Board meeting in a permanent volume. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted on by the Board, and all votes of members of the Board on any resolution or on the final determination of any question, indicating the names of members who are absent or fail to vote. If the secretary is chosen from outside the Board's membership, he shall not be eligible to vote on any matter.

D. Clerk. A clerk shall be appointed by the chairman of the Board, either from within membership or from outside, to hold office during the term of the Chairman and/or until a successor clerk has been appointed. The clerk shall be eligible for reappointment. The clerk shall perform such tasks as the chairman may assign and shall

1 assist the secretary generally in performing his duties. If the clerk is chosen from outside
2 the Board's membership, he shall not be eligible to vote on any matter.

3 4 III. MEMBERSHIP

5
6 The Board of Adjustment shall consist of ~~seven~~ **five [5]** regular members and
7 ~~three~~ **two [2]** alternate members. ~~Four~~ **Three [3]** members shall reside in the County
8 outside the extraterritorial jurisdiction of a municipality and the three remaining members
9 may be from any location within the County. The ~~three~~ **two [2]** alternates may reside at
10 any location within the County. A Rowan County Commissioner shall serve as an ex
11 officio non-voting member of the Board of Adjustment.

12 Appointed positions shall be for three-year terms. However, in original
13 appointments, or in replacing positions vacated, some members may be appointed for less
14 than three years so that terms of all members do not expire at the same time.

15 16 IV. ALTERNATE MEMBERS

17
18 Alternate members of the Board shall be called on to attend only those meetings
19 and hearings at which one or more regular members are absent or are unable to
20 participate in hearing a case because of financial or other interest. Regular members, on
21 receiving notice of a special meeting that they cannot attend or on learning that they will
22 be unable to participate in a particular case, shall give prompt notice to the Board
23 secretary that they are unable to attend or to participate. On receiving such notice, the
24 secretary shall, by the most expeditious means, notify an alternate member to attend.
25 Assignments shall be rotated among the alternate members. At any meeting that they are
26 called on to attend, alternate members shall have the same powers and duties as regular
27 members.

28 Except at the election of officers, at no time shall more than ~~7-(seven)~~ **five [5]**
29 members participate officially in any meeting or hearing.

30 31 V. RULES OF CONDUCT FOR MEMBERS

32
33 A. Members of the Board may be removed for cause, including violation of the
34 rules stated below.

35 B. Faithful attendance at all Board meetings and conscientious performance of
36 the duties required of Board members shall be considered a prerequisite of continuing
37 membership on the Board.

38 C. No Board member shall take part in the hearing, consideration, or
39 determination of any case in which he is personally or financially interested.

40 D. No Board member shall discuss any case with any parties thereto before the
41 public hearing on that case; provided, however, that members may receive and/or seek
42 information pertaining to the case from any other member of the Board, its secretary, or
43 clerk before the hearing.

44 E. Members of the Board shall not express individual opinions on the proper
45 judgment of any case with any parties thereto before that case is determined. Violation
46 of this rule shall be cause for dismissal from the Board.

1 F. A member of the board or any other body exercising the functions of a board
2 of adjustment shall not participate in or vote on any quasi-judicial matter in a manner
3 that would violate affected persons' constitutional rights to an impartial decision maker.
4 Impermissible conflicts include, but are not limited to, a member having a fixed opinion
5 prior to hearing the matter that is not susceptible to change, undisclosed ex parte
6 communications, a close familial, business, or other associational relationship with an
7 affected person, or a financial interest in the outcome of the matter. If an objection is
8 raised to a member's participation and that member does not recuse himself or herself,
9 the remaining members shall by majority vote rule on the objection.

10 11 VI. MEETINGS

12
13 **A. Regular Meetings.** Regular meetings of the Board shall be held at a date and
14 location to be determined; meetings may be held at any convenient place in the county if
15 the chairman so directs before the meeting.

16
17 **B. Special Meetings.** The chairman may call special meetings of the Board at
18 any time. At least 48 (forty-eight) hours written notice of the time and place of special
19 meetings shall be given, by either the secretary or the chairman, to each member of the
20 Board.

21
22 **C. Cancellation of Meetings.** If there are no appeals, applications for special-use
23 permits or variances, or other business for the Board, or if so many regular and alternate
24 members notify the secretary that they cannot attend that a quorum will not be available,
25 the chairman may dispense with a regular meeting by giving written or oral notice to all
26 members not less than 24 (twenty-four) hours before the time set for the meeting.

27
28 **D. Quorum.** A quorum shall consist of 4 (four) members of the Board, but the
29 Board shall not pass on any question relating to an appeal from a decision, order,
30 requirement, or determination of the Zoning Administrator or an application for a
31 variance or special-use permit when fewer than 6—(six) five [5] members are present,
32 unless the Chairman receives affirmative testimony from the applicant, expressing the
33 applicant's willingness for consideration of the case before only 4 (four) members of the
34 Board, and the legal implications of utilizing 4 voting members as opposed to 5 voting
35 members.

36
37 **E. Voting.** All regular members may vote on any issue unless they have
38 disqualified themselves for one or more of the reasons listed in Section IV V. The
39 required vote to decide appeals and applications shall be as provided in Section VII, D,4,
40 and shall not be reduced by any disqualification. In all other matters, the vote of a
41 majority of the members present and voting shall decide issues before the Board.

42
43 **F. Conduct of Meetings.** All meetings shall be open to the public. The order of
44 business at regular meetings shall be as follows: (a) roll call; (b) approval of minutes of
45 the previous meeting; (c) hearing of cases; (d) consideration and determination of cases
46 heard (e) reports of committees; (f) unfinished business; (g) new business.

VII. APPEALS AND VARIANCES

A. Types of Appeals. The Board shall hear and decide all requests for variances and appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator. It shall also hear and decide all matters referred to it or on which the Rowan County Zoning Ordinance requires it to ~~pass~~**consider**. In deciding cases, the Board may hear appeals based on an allegedly improper or erroneous interpretation of the ordinance and variances based on alleged hardship resulting from strict interpretation of the ordinance.

B. Procedure for Filing Appeals. No appeal or variance shall be heard by the Board unless notice thereof is filed within 30 (thirty) days after the interested party or parties receive notice of the order, requirement, decision, or determination by the Zoning Administrator. The applicant must file his application for a hearing with the Zoning Administrator, who shall act as clerk for the Board in receiving this notice. All applications shall be made on the form furnished for that purpose, and all information required thereon shall be complete before an appeal may be considered as having been filed.

C. Hearings.

1. **Time.** After notice of appeal or request for a variance is received, the Board chairman shall schedule the time for a hearing, which shall be at a regular or special meeting within 45 (forty-five) days from the filing of such notice of appeal.

2. **Notice.** The Board shall give public notice of the hearing in a newspaper generally circulated in Rowan County by advertisement published at least 10 (ten) days before the date of the hearing for variances and appeals. The Board shall mail notices of the hearing to the parties to the action appealed from, and to such other persons as the Zoning Administrator shall direct, at least 10 days before the hearing. Notice of hearing shall be made to the applicant and all adjacent property owners via first class mail at least 10 days prior to the hearing. Such notice shall state the location of the building or lot, the general nature of the request involved, and the time and place of the hearing. In addition, a sign stating the case number, time date and place of the hearing shall be posted on the property at least 10 days prior to the hearing.

3. **Conduct of the Hearing.** Any party may appear in person, by agent, or by attorney at the hearing. The order of business for each hearing shall be as follows: (a) the chairman, or such person as he shall direct, shall give a preliminary statement of the case; (b) the Zoning Administrator, or such person as he directs, shall present a report on the case; (c) the applicant shall present the evidence and arguments in support of his application; (d) persons opposed to granting the application shall present the evidence and arguments against the application; (e) both sides shall be permitted to present rebuttals to opposing evidence and arguments; (f) the chairman shall summarize the evidence that has been presented, giving the parties opportunity to make objections or corrections. Witnesses may be called and factual evidence may be submitted, but the Board

1 shall not be limited to consideration of such evidence as would be admissible in a
2 court of law. The Board may view the premises before the hearing, but the facts
3 indicated by such inspection shall be disclosed at the public hearing and made a
4 part of the record. All witnesses before the Board shall be placed under oath, and
5 the opposing party may cross-examine them.

6 4. *Oaths.* The Chairman of the board of adjustment or any member
7 temporarily acting as chairman may in his official capacity administer oaths to
8 witnesses in any matter coming before the board.

9 5. *Subpoena.* The board of adjustment may subpoena witnesses and
10 compel the production of evidence. If a person fails or refuses to obey a subpoena
11 issued pursuant to this subsection, the board of adjustment may apply to the
12 General Court of Justice for an order requiring that its order be obeyed, and the
13 court shall have jurisdiction to issue these orders after notice to all proper parties.
14 No testimony of any witnesses before the board of adjustment pursuant to a
15 subpoena issued in exercise of the power conferred by this subsection may be
16 used against the witness in the trial of any civil or criminal action other than a
17 prosecution for false swearing committed on the examination. Any person who,
18 while under oath during a proceeding before the board of adjustment, willfully
19 swears falsely is guilty of a Class 1 misdemeanor.

20 6. *Rehearings.* An application for a rehearing may be made in the same
21 manner as an application for an original hearing. Evidence in support of the
22 application shall initially be limited to what is necessary to enable the Board to
23 determine whether there has been a substantial change in the facts, evidence, or
24 conditions in the case. The Board shall deny the application for rehearing if, from
25 the record, it finds that there has been no substantial change in facts, evidence or
26 conditions. If the Board finds that a change has occurred, it shall thereupon treat
27 the request in the same manner as any other application.

28 29 **D. Decisions**

30 1. *Time.* Decisions by the Board shall be made not later than 45 days
31 from the time of the hearing.

32 2. *Form.* The Board's final decision shall be shown in the record of the
33 case as entered in the Board's minutes and signed by the secretary and the
34 chairman on approval of the minutes by the Board. Such record shall show the
35 reasons for the determinations, with a summary of the evidence introduced and
36 the findings of fact made by the Board. When a variance is granted, the record
37 shall state in detail any exceptional difficulty or unnecessary hardship upon which
38 the appeal was based and which the Board finds to exist. The decision may
39 reverse or affirm, wholly or partly, or modify the order, requirement, decision, or
40 determination appealed from. ~~When a conditional use permit is granted, the~~
41 ~~record shall state in detail any facts that support findings required to be made~~
42 ~~before such permit is issued.~~ The record shall state in detail what, if any,
43 conditions and safeguards the Board imposes in connection with granting of a
44 variance ~~or a conditional use permit.~~ A separate record of the decision in each
45 case shall be prepared, filed in the Planning Department, and furnished to the
46 parties as specified in Subsection 5.

1 3. *Expiration of Permits.* Unless otherwise specified, any order or
2 decision of the Board granting a conditional-use permit or a variance shall expire
3 if the applicant does not obtain a building permit or certificate of occupancy for
4 such use within six (6) months from the date of the decision.

5 4. *Four-fifths vote.* The board of adjustment, by a vote of four-fifths of its
6 members, may reverse any order, requirement, decision, or determination of an
7 administrative officer charged with enforcing an ordinance adopted pursuant to
8 NCGS 153A Article 18, or may decide in favor of the applicant a matter upon
9 which the board is required to pass under the ordinance, or may grant a variance
10 from the provisions of the ordinance. For the purposes of this subsection, vacant
11 positions on the board and members who are disqualified from voting on a quasi-
12 judicial matter shall not be considered "members of the board" for calculation of
13 the requisite supermajority if there are no qualified alternates available to take the
14 place of such members.

15 5. *Notices and Public Record of Decisions.* The secretary shall give
16 written notice of the decision on the case to the appellant and/or the applicant and
17 to every aggrieved party who has filed a written request for such notice with the
18 secretary or the chairman of the Board when the hearing is held. Such notice may
19 be delivered either by personal service or by registered mail or certified mail,
20 return receipt requested. A copy of the decision shall also be filed in the County
21 Managers Office, as specified in the zoning ordinance. The decision shall be a
22 public record, available for inspection at reasonable times.

23 6. *Judicial Review 30 days to appeal.* Each decision of the board is
24 subject to review by the superior court by proceedings in the nature of certiorari.
25 Any petition for review by the superior court shall be filed with the clerk of
26 superior court within 30 days after the decision of the board is filed in such office
27 as the ordinance specifies, or after a written copy thereof is delivered to every
28 aggrieved party who has filed a written request for such copy with the secretary or
29 chairman of the board at the time of its hearing of the case, whichever is later.
30 The decision of the board may be delivered to the aggrieved party either by
31 personal service or by registered mail or certified mail return receipt requested.

32 33 VIII. AMENDMENTS

34
35 These rules may, within the limits allowed by law, be amended at any time
36 by an affirmative vote of not less than ~~5 (five)~~ **four [4]** members of the Board,
37 provided that such notice of amendment be given to members at least 48 (forty-
38 eight) hours prior to the meeting and be presented in writing at a regular or special
39 meeting before the meeting at which the vote is taken.

40 41 IX. EFFECTIVE DATE

42
43 Adopted and effective on the _____ day of _____, 2009.

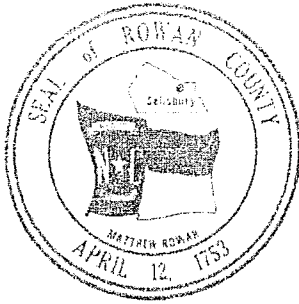
44
45
46 _____
Chairman, Zoning Board of Adjustment

Clerk / Secretary

ZBA-01-09: Parker Appeal

Application Package Contents

- **Item 6A:** Appeal Form, Etc.
- **Item 6B:** Excerpt of Rowan County Zoning Ordinance Section 21-277(d)
- **Item 6C:** Correspondence from Attorney Christy Wilhelm of Hartsell & Williams dated March 4, 2009 regarding zoning permit application for Richard Parker
- **Item 6D:** Correspondence from Codes Enforcement Manager Thomas O'Kelly to Mr. Parker concerning building permit application submittal



Rowan County Planning
Department
402 North Main Street
Salisbury, NC 28144
Phone (704) 216-8588
Fax (704) 638-3130
Web <http://www.co.rowan.nc.us>

Case #: ZBA 01-09
Date Filed 4-9-09
Received By FG
Amount Paid 200.00

Office Use Only

CKS.

24474
24475

**APPEAL FROM DECISION OF THE ORDINANCE ENFORCEMENT
OFFICER, ZONING ADMINISTRATOR OR SUBDIVISION ADMINISTRATOR**

OWNERSHIP INFORMATION:

Name: Richard L. Parker and Dorcas Parker

Signature: _____

Home Address: 155 Parkers Loop, Mt. Ulla, NC 28125

Contact Information: _____

APPLICANT/AGENT INFORMATION:

Name: Richard L. Parker and Dorcas Parker

Signature: Ed T. Cornelius, Attorney for Applicants

Address: Same as Above

Contact Information: c/o Andrew T. Cornelius, Hartsell & Williams, P. A.,
71 McCachern Blvd., SE, Concord, NC 28025

Date Filed 4/9/09, within thirty (30) days of the Notice of Violation or verbal statement to cease or desist alleged illegal activity. Yes X No _____

TO THE ROWAN COUNTY ZONING BOARD OF ADJUSTMENT:

Andrew T. Cornelius,

I attorney for Applicant, hereby appeal to the Zoning Board of Adjustment to reverse the decision of the Ordinance Enforcement Officer, Zoning Administrator or Subdivision Administrator as stated in:

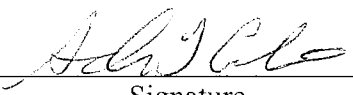
Letter from Ed Muire dated March 13, 2009 (attached)

(Attach copies of Notice of Violation, or state decision being appealed)

STATE WHAT FACTS OR EVIDENCE YOU ARE PREPARED TO PROVE TO THE ZONING BOARD OF ADJUSTMENT THAT SHOULD LEAD THE BOARD TO CONCLUDE THAT THE DECISION OF THE ZONING ADMINISTRATOR IS ERRONEOUS:

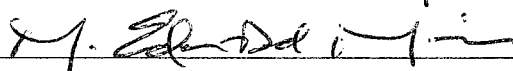
This project is exempted from the conditional use permitting process
pursuant to Section 21-277(d) of the Rowan County ordinance, and the
use of the tower will provide the needs of western Rowan County for
emergency communications services and license requirements of the FCC.

I certify that all the information presented by me in this application is accurate to the best of my knowledge information and belief.


Signature

4/9/09
Date

OFFICIAL USE ONLY

1. Further information Needed: N/A
2. Scheduled for Board of Adjustment consideration: Date: 5-19-09 Time: 7:00 PM
Place: 130 W. Innes Street, Salisbury
3. Signature of coordinator: 

PROCESS RECORD

1. Meeting Date: 5-19-09
2. Dates Advertised: 1st 5-08-09 2nd 5-15-09
3. BOA Action: Approved: _____ Disapproved: _____
4. Date applicant notified: _____



Rowan County Planning and Development Department

402 North Main Street • Salisbury, N.C. 28144-4341

Building Inspections: 704-216-8619

Planning: 704-216-8588

Fax: 704-638-3130

March 13, 2009

**Certified Mail: Return Receipt Requested
and 1st Class Mail**

Ms. Christy E. Wilhelm
Hartsell & Williams, PA
71 McCachern Boulevard SE
Concord, NC 28205

Re: Zoning Permit Application for Richard and Dorcas Parker

Ms. Wilhelm:

I have received a copy of your March 4th letter detailing Richard and Dorcas Parker's intent to obtain a zoning permit for construction of a radio broadcast tower on their property at 155 Parkers Loop, Mt. Ulla, NC (Tax Parcel 565-004). Your letter states your position that the construction and use of the radio broadcast tower is exempt from the Rowan County conditional use permitting process by Section 21-277(d) of the Rowan County Code of Ordinances because you contend that the tower will have an antenna for public safety use.

As Planning Director for Rowan County, I am responsible for interpretation and enforcement of the zoning and land use provisions in the Rowan County Code of Ordinances. After review of the Parker's January 29, 2009 building permit application in conjunction with your March 4th letter, I have determined that construction and use of the radio broadcast tower and antenna is not exempt from the County's conditional use permitting procedures as established by Chapter 21, Article III. My determination is based upon the following:

Pursuant to Section 21-113, radio broadcast towers are permitted as a conditional use in Rural Agricultural (RA) zoning subject to approval by the Rowan County Board of Commissioners. The Code of Ordinances distinguishes between construction and use of a broadcast tower and a communications tower. By your own admission in your March 4th letter, the Parker's application is for construction and use of a radio broadcast tower, not a communications tower. The exception on which you rely, Section 21-277(d), exempts antennas for "private use or for use by 'police protection' or 'fire protection'" from the conditional use requirements for a communications tower only. Therefore,

contrary to your position, the exception set forth in Section 21-277(d) is inapplicable and does not extend to a radio broadcast tower or any public safety antenna attached thereto.

Additionally, even if the exemption in Section 21-277(d) did apply to placement of an antenna "for police, fire and first responder communication systems for the County and local emergency personnel" on Mr. and Mrs. Parker's broadcast tower, this exemption would not apply to construction and use of the tower. The definition of antenna, as established by Section 21-4, clearly states "an antenna does not include the tower or other supporting structure to which it is attached." Section 277(d) exempts only the "antennae." Therefore, even if Section 21-277(d) did apply, it would not serve to exempt construction and use of the tower from the conditional use permitting process.

Mr. and Mrs. Parker must obtain a conditional use permit from Rowan County prior to construction and use of the radio broadcast tower and antenna. This ensures, among other things, that the impact of the tower on public health, safety and welfare is considered.

Should you disagree with this determination you may appeal this citation to the Rowan County Zoning Board of Adjustment. Any appeal must be filed within thirty (30) days from the date of this letter.

Respectfully,

A handwritten signature in dark ink, appearing to read "Ed Muire". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ed Muire, AICP, CFM
Planning Director

HARTSELL & WILLIAMS, P.A.
CONCORD, NORTH CAROLINA 28026

24475

				CHECK	
DATE	DESCRIPTION	INVOICE #	AMOUNT	DEDUCTION	NET AMOUNT
04/09/09	1939 Rowan County Planning & Development Appeal - Davidson County Broadcasting 21299.000		100.00		100.00

CHECK DATE	CONTROL NUMBER	TOTALS	Gross:	Ded:	Net:
04/09/09	24475		100.00	0.00	100.00

24475

HARTSELL & WILLIAMS, P.A.
P.O. BOX 368
CONCORD, NORTH CAROLINA 28026



66-73/531

DATE	CHECK	AMOUNT
04/09/09	24475	***\$100.00

PAY *** ONE HUNDRED & 00/100 DOLLARS

TO THE
ORDER
OF

Rowan County Planning & Development

HARTSELL & WILLIAMS, P.A.
FIRM ACCOUNT

Appeal-Davidson County Broadcasting 21299.000

⑈024475⑈ ⑆053100737⑆ 7470813648⑈

CHECK

DATE	DESCRIPTION	INVOICE #	AMOUNT	DEDUCTION	NET AMOUNT
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1939 Rowan County Planning & Development
04/09/09 Appeal - Davidson County
Broadcasting 21299.000

100.00

100.00

CHECK DATE	CONTROL NUMBER	TOTALS	Gross:	Ded:	Net:
04/09/09	24474		100.00	0.00	100.00

24474

HARTSELL & WILLIAMS, P.A.
P.O. BOX 368
CONCORD, NORTH CAROLINA 28026



66-73/531

DATE	CHECK	AMOUNT
04/09/09	24474 ****	\$100.00

PAY TO THE ORDER OF *** ONE HUNDRED & 00/100 DOLLARS

OF Rowan County Planning & Development

HARTSELL & WILLIAMS, P.A.
FIRM ACCOUNT

Appeal - Davidson County Broadcasting 21299.000

⑈024474⑈ ⑈053100737⑈ 7470813648⑈

Excerpted from Chapter 21 of the Rowan County Code of Ordinances

Sec. 21-277. Exceptions and modifications.

(a) *Minor structures and improvements.* Except where otherwise expressly addressed, the following minor, accessory structures and improvements on individual lots or parcels are not intended to be regulated by this chapter:

- (1) Flagpoles and mailboxes;
- (2) Landscaping features such as fences, trees and shrubs, terraces, gazebos, and similar items;
- (3) Piers, wharves, and bulkheads;
- (4) Recreational improvements such as swing sets and playgrounds;
- (5) Wells and pumphouses.

(b) *Utilities.* Except where otherwise expressly addressed, the following utility structures and facilities are not intended to be regulated by this chapter:

- (1) Utility lines, pipes, cables, and associated minor equipment and structures, including transformers, pumping stations, "signal boosters", and maintenance buildings;
- (2) Electronics cabinets for telephone switching and similar devices used by public service providers;
- (3) Water towers or tanks;
- (4) Water systems or sewage disposal systems as an exclusive accessory use for a development project.

(c) *Exceptions to front setback requirements for dwellings.* Setback requirements for dwellings may be modified when the setbacks of contiguous existing buildings are less than required. These decreased setbacks are determined by computing the average setback on adjacent lots one hundred (100) feet on either side of the lot of the proposed dwelling. The modified setback may be equivalent to the average setback or ten (10) feet from the rights-of-way line, whichever is greater.

→ (d) *Antennae for public safety use.* Antennae for private use or for use by "police protection" or "fire protection" are exempt from the conditional use requirements for communication towers prescribed in article III, requirements.

(Ord. of 1-19-98, § XII; Ord. of 2-1-99(1))

HARTSELL & WILLIAMS, F

ITEM # 6 C

ATTORNEYS AT LAW

THOMAS M. GRADY
FLETCHER L. HARTSELL, JR.
SAMUEL F. DAVIS, JR.
K. TODD PHILLIPS
J. MERRITT WHITE, III
H. JAY WHITE, SR.

JOHN R. BOGER, JR.
(OF COUNSEL)

71 MCCACHERN BOULEVARD, S.E.
POST OFFICE BOX 368 (28026)
CONCORD, NORTH CAROLINA 28025
TELEPHONE (704) 786-5161
TELECOPIER (704) 792-2539

DAVID C. WILLIAMS
MICHAEL R. BURGNER
CHRISTY E. WILHELM
ANDREW T. CORNELIUS
LAURA M. BAKER
JOSH J. COSTNER
MARIANA C. GODWIN

ESTABLISHED 1896

LUTHER T. HARTSELL (1870-1961)
LUTHER T. HARTSELL JR. (1902-1961)
JOHN HUGH WILLIAMS (1913-1995)

March 4, 2009

Writer's email: cwilhelm@hwpalaw.com

Ed Muire, Director
Rowan County Planning Department
402 North Main Street
Salisbury, NC 28144

Re: Zoning Permit Application; Richard L. and Dorcas Parker

Dear Mr. Muire:

Please be advised that this firm represents the applicants for a building and zoning permit on the property located at 155 Parkers Loop in Mount Ulla. The applicants have filed a building permit with Rowan County and seek a zoning permit for the same property. The parcel is Tax Parcel Map 565, Parcel 4, which was transferred to its current owners by deed filed with the Rowan County Register of Deeds in Book 904, Page 30 of the Rowan County Registry. This property was transferred again to create a tenancy by the entireties by deed filed with the Rowan County Register of Deeds in Book 1081, Page 385 of the Rowan County Registry. This parcel bears identification number 565 004.

This parcel is currently zoned Rural Agricultural (RA). The applicants wish to construct a radio broadcast tower on this parcel, which shall have attached equipment used for police, fire, and first responder communications systems for the County and local emergency personnel. In addition to the tower itself, a small accessory building at the base of the tower will be constructed for the purpose of housing necessary electronic and electrical equipment. Radio broadcast towers (#4833) are permitted in RA zoning districts as a conditional use per the Table of Uses established per § 21-113 of the Rowan County zoning ordinance. However, this project is exempted from the conditional use permitting process according to the exception listed in § 21-277(d) of the Rowan County ordinance, which states as follows:

(d) Antennae for public safety use. Antennae for private use or for use by "police protection" or "fire protection" are exempt from the conditional use requirements for communication towers prescribed in Article III requirements.

In the Table of Uses, it is clear that structures related to police or fire protection are permitted by right in the RA zoning district. Applicants wish to donate approximately 200 feet of broadcasting space on their radio communication tower for use by Rowan County in order to implement better communications systems capability for western Rowan County. Not only is use of this tower consistent with Rowan County's need for additional emergency communications equipment in western Rowan County, this land use is consistent with the Federal Communications Commission's manual for all broadcasters, which states that:


In exchange for obtaining a valuable license to operate a broadcast station using the public airwaves, each radio and television licensee is required by law to operate its station in the "public interest, convenience, and necessity." This means that it must air programming that is responsive to the needs and problems of the local community of license.

In addition to a general statement in its manual, the FCC also requires all licensees to comply with the Emergency Alert System. This is a national public warning system operated in conjunction with the Federal Emergency Management Agency (FEMA) and the National Weather Service (NWS) to alert the public to national emergency or imminent dangerous weather conditions. Thus, in its responsibilities as a licensee, any tower owner is required to provide public service to Rowan County as a whole. The use of the proposed tower is consistent with the zoning requirements of Rowan County, the needs of western Rowan County for emergency communications services and the license requirements of the Federal Communications Commission. As such, the applicants' request for a zoning permit should be granted.

As always, please do not hesitate to contact me with any questions, concerns or comments regarding this or any other matter.

Very truly yours,

HARTSELL & WILLIAMS, P.A.

A handwritten signature in cursive script, reading "Christy E. Wilhelm".

Christy E. Wilhelm

CEW:mbg

cc: Lowell Homburger
Richard and Dorcas Parker



Rowan County Planning and Development Department

402 North Main Street • Salisbury, N.C. 28144-4341

Building Inspections: 704-216-8619

Planning: 704-216-8588

Fax: 704-638-3130

February 6, 2009

Mr. Richard Parker
155 Parker's Loop
Mt. Ulla, NC 28125

RE: Building Permit Application

Mr. Parker:

Your application submitted to the Rowan County Manager's Office via Mr. Lowell Homburger of Abernat, Roxben and Boggs was forwarded to the Codes Enforcement Office for processing and permitting. Unfortunately, your application has been denied for several reasons:

1. Engineered plans in compliance with the attached County policy and NC Building Code provisions did not accompany the application.
2. Plan review fee and building permit fee(s) did not accompany the application.
3. A zoning permit was not included with the application. Section 7-120(b) of the Rowan County Code requires that a zoning permit be issued prior to issuance of a building permit.

The building permit application and related material are enclosed and may be used for your resubmittal of a revised application. For future reference, building permit submittals should be made to the Rowan Codes Enforcement Office and zoning inquiries made to the Rowan County Planning Office; both are located on the second floor of the Rowan County Offices located at 402 N. Main Street in Salisbury, NC.

Comments or questions related to the building permit process may be directed to my office at 704-216-8619.

Respectfully,

A handwritten signature in black ink, appearing to read "Thomas O'Kelly", is written over a horizontal line.

Thomas O'Kelly
Codes Enforcement Manager



Commercial Plan Review Requirements

Rowan County Codes Enforcement

402 North Main Street • Salisbury, N.C. 28144-4314

Phone: 704-216-8619 Fax: 704-638-3130

All commercial projects must furnish two [2] complete sets of plans that satisfy the plan requirements listed below. For a project to be reviewed, all plan requirement material must be submitted at the same time. Otherwise, the submittals will be viewed as incomplete and will be returned to the applicant or destroyed. Rowan County is not a repository for plan sets awaiting a complete submittal.

Plans Requirements

- ☐ 2 complete sets of plans [Minimum 18"x 24" Plan Sheets and Legibly scaled]
- ☐ Completed Appendix "B"
- ☐ Site Plans
- ☐ Architectural Plans
- ☐ Structural Plans
- ☐ Electrical Plans
- ☐ Mechanical Plans
- ☐ Plumbing Plans
- ☐ Compliance with Life Safety Guidelines
- ☐ Sealed by a North Carolina Design Professional unless one of the exceptions below is met: Please circle which exception may apply.
 1. Family Residence, up to eight units attached with grade level exit that is not part of or physically connected with any other buildings or residential units.
 2. Farm Buildings.
 3. An Institutional or Commercial Building if it does not have a total value exceeding \$90,000.
 4. An Institutional or Commercial Building if the total building area does not exceed 2,500 square feet in gross floor area.
 5. Alterations, remodeling or renovation of an existing building or building site that is exempt under this section or alteration, remodeling, or renovation that does not alter or effect the structural system of the building; change the building's access or exit pattern; or change the live or dead load on the building's structural system.
 6. The preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions utilized to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirement or exemptions.
 7. Nothing shall prevent any individual for making plans or data for buildings for himself. Individual must own the property and building must be for his use.

This document must be completed & submitted along with the plans for the proposed project & the plan review procedures document.

Applicant Signature _____

2006 APPENDIX B
BUILDING CODE SUMMARY
FOR ALL COMMERCIAL PROJECTS
(EXCEPT 1 AND 2-FAMILY DWELLINGS AND TOWNHOUSES)
 (Reproduce the following data on the building plans sheet 1 or 2)

Name of Project: _____
 Address: _____ Zip Code _____
 Proposed Use: _____
 Owner/Authorized Agent: _____ Phone # (____) _____ - _____ E-Mail _____
 Owned By: ☐ City/County ☐ Private ☐ State
 Code Enforcement Jurisdiction: ☐ City _____ ☐ County _____ ☐ State

LEAD DESIGN PROFESSIONAL: _____

DESIGNER	FIRM	NAME	LICENSE #	TELEPHONE #	E-MAIL
Architectural	_____	_____	_____	(____) _____	_____
Civil	_____	_____	_____	(____) _____	_____
Electrical	_____	_____	_____	(____) _____	_____
Fire Alarm	_____	_____	_____	(____) _____	_____
Plumbing	_____	_____	_____	(____) _____	_____
Mechanical	_____	_____	_____	(____) _____	_____
Sprinkler-Standpipe	_____	_____	_____	(____) _____	_____
Structural	_____	_____	_____	(____) _____	_____
Retaining Walls >5' High	_____	_____	_____	(____) _____	_____
Other	_____	_____	_____	(____) _____	_____

2006 EDITION OF NC CODE FOR: ☐ New Construction ☐ Addition ☐ Upfit

EXISTING: ☐ Reconstruction ☐ Alteration ☐ Repair

CONSTRUCTED _____ **ORIGINAL USE** _____ **RENOVATED** _____ **CURRENT USE** _____

BUILDING DATA

Construction Type: ☐ I-A ☐ II-A ☐ III-A ☐ IV ☐ V-A
☐ I-B ☐ II-B ☐ III-B ☐ V-B

Mixed construction: ☐ No ☐ Yes Types _____

Sprinklers: ☐ No ☐ Partial ☐ Yes ☐ NFPA 13 ☐ NFPA 13R ☐ NFPA 13D

Standpipes: ☐ No ☐ Yes Class ☐ I ☐ II ☐ III ☐ Wet ☐ Dry

Fire District: ☐ No ☐ Yes **Flood Hazard Area:** ☐ No ☐ Yes

Building Height: Feet _____ **Number of Stories** _____

Mezzanine: ☐ No ☐ Yes

Gross Building Area:

FLOOR	EXISTING (SQ FT)	NEW (SQ FT)	SUB-TOTAL
6 th Floor	_____	_____	_____
5 th Floor	_____	_____	_____
4 th Floor	_____	_____	_____
3 rd Floor	_____	_____	_____
2 nd Floor	_____	_____	_____
Mezzanine	_____	_____	_____
1 st Floor	_____	_____	_____
Basement	_____	_____	_____

TOTAL

ALLOWABLE AREA

Primary Occupancy: Assembly ☐ A-1 ☐ A-2 ☐ A-3 ☐ A-4 ☐ A-5
☐ Business ☐ Educational Factory ☐ F-1 Moderate ☐ F-2 Low
Hazardous ☐ H-1 Detonate ☐ H-2 Deflagrate ☐ H-3 Combust ☐ H-4 Health ☐ H-5 HPM
Institutional ☐ I-1 ☐ I-2 ☐ I-3 ☐ I-4
I-3 Condition ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
☐ Mercantile Residential ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4
Storage ☐ S-1 Moderate ☐ S-2 Low ☐ High-piled
☐ Utility and Miscellaneous ☐ Parking Garage ☐ Open ☐ Enclosed ☐ Repair Garage

Secondary Occupancy:

Special Uses: ☐ 402 ☐ 403 ☐ 404 ☐ 405 ☐ 406 ☐ 407 ☐ 408 ☐ 409 ☐ 410 ☐ 411 ☐ 412
☐ 413 ☐ 414 ☐ 415 ☐ 416 ☐ 417 ☐ 418 ☐ 419 ☐ 420 ☐ 421

Special Provisions: ☐ 508.2 ☐ 508.3 ☐ 508.4 ☐ 508.5 ☐ 508.6 ☐ 508.7 ☐ 508.8

Mixed Occupancy: ☐ No ☐ Yes Separation: _____ Hr. Exception: _____

☐ Incidental Use Separation (302.1.1)

This separation is not exempt as a Non-Separated Use (see exceptions).

☐ Non-Separated Use (302.3.1)

The required type of construction for the building shall be determined by applying the height and area limitations for each of the applicable occupancies to the entire building. The most restrictive type of construction, so determined, shall apply to the entire building.

☐ Separated Use (302.3.2) - See below for area calculations

For each story, the area of the occupancy shall be such that the sum of the ratios of the actual floor area of each use divided by the allowable floor area for each use shall not exceed 1.

$$\frac{\text{Actual Area of Occupancy A}}{\text{Allowable Area of Occupancy A}} + \frac{\text{Actual Area of Occupancy B}}{\text{Allowable Area of Occupancy B}} \leq 1$$

$$\text{_____} + \text{_____} + \dots = \text{_____} \leq 1.00$$

STORY NO.	DESCRIPTION AND USE	(A) BLDG AREA PER STORY (ACTUAL)	(B) TABLE 503 ⁵ AREA	(C) AREA FOR FRONTAGE INCREASE ¹	(D) AREA FOR SPRINKLER INCREASE ²	(E) ALLOWABLE AREA OR UNLIMITED ³	(F) MAXIMUM BUILDING AREA ⁴

¹ Frontage area increases from Section 506.2 are computed thus:

- Perimeter which fronts a public way or open space having 20 feet minimum width = _____ (F)
- Total Building Perimeter = _____ (P)
- Ratio (F/P) = _____ (F/P)
- W = Minimum width of public way = _____ (W)
- Percent of frontage increase $I_f = 100 [F/P - 0.25] \times W/30 = \text{_____} (\%)$

² The sprinkler increase per Section 506.3 is as follows:

- Multi-story building $I_s = 200$ percent
- Single story building $I_s = 300$ percent

³ Unlimited area applicable under conditions of Sections Group B, F, M, S, A-4 (507); Group A motion picture (507.9); Malls (402.6); and H-2 aircraft paint hangers (507.7).

⁴ Maximum Building Area = total number of stories in the building x E (506.4).

⁵ The maximum area of parking garages must comply with 406.3.5. The maximum area of air traffic control towers must comply with 412.1.2.

ALLOWABLE HEIGHT

	ALLOWABLE (TABLE 503)	INCREASE FOR SPRINKLERS	SHOWN ON PLANS	CODE REFERENCE
Type of Construction	Type _____		Type _____	
Building Height in Feet	Feet _____	Feet = H + 20' = _____		
Building Height in Stories	Stories _____	Stories + 1 = _____	Stories _____	

FIRE PROTECTION REQUIREMENTS

Life Safety Plan Sheet #, if Provided _____

BUILDING ELEMENT	FIRE SEPARATION DISTANCE (FEET)	RATING		DETAIL # AND SHEET #	DESIGN # FOR RATED ASSEMBLY	DESIGN # FOR RATED PENETRATION	DESIGN # FOR RATED JOINTS
		REQ'D	PROVIDED (w/ _____ REDUCTION) *				
Structural Frame, including columns, girders, trusses							
Bearing Walls							
Exterior							
North							
East							
West							
South							
Interior							
Nonbearing Walls and Partitions							
Exterior walls							
North							
East							
West							
South							
Interior walls and partitions							
Floor Construction							
Including supporting beams and joists							
Roof Construction							
Including supporting beams and joists							
Shaft Enclosures - Exit							
Shaft Enclosures - Other							
Corridor Separation							
Occupancy Separation							
Party/Fire Wall Separation							
Smoke Barrier Separation							
Tenant Separation							
Incidental Use Separation							

* Indicate section number permitting reduction

LIFE SAFETY SYSTEM REQUIREMENTS

Emergency Lighting:	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Exit Signs:	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Fire Alarm:	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Smoke Detection Systems:	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Panic Hardware:	<input type="checkbox"/> No	<input type="checkbox"/> Yes

EXIT REQUIREMENTS

NUMBER AND ARRANGEMENT OF EXITS

FLOOR, ROOM OR SPACE DESIGNATION	MINIMUM ² NUMBER OF EXITS		TRAVEL DISTANCE		ARRANGEMENT MEANS OF EGRESS ^{1,3} (SECTION 1014.2)	
	REQUIRED	SHOWN ON PLANS	ALLOWABLE TRAVEL DISTANCE (TABLE 1015.1)	ACTUAL TRAVEL DISTANCE SHOWN ON PLANS	REQUIRED DISTANCE BETWEEN EXIT DOORS	ACTUAL DISTANCE SHOWN ON PLANS

¹ Corridor dead ends (Section 1016.3)

² Single exits (Table 1018.2)

³ Common Path of Travel (Section 1013.3)

EXIT WIDTH

USE GROUP OR SPACE DESCRIPTION	(a)	(b)	CALCULATED OCCUPANT LOAD	(c)		EXIT WIDTH (in) ^{2,3,4,5,6}			
	AREA ¹ sq. ft.	AREA ¹ PER OCCUPANT (TABLE 1005.2.2.2)		EGRESS WIDTH PER OCCUPANT (TABLE 1005.1)		REQUIRED WIDTH (SECTION 1005.1) (a÷b) x c		ACTUAL WIDTH SHOWN ON PLANS	
				STAIR	LEVEL	STAIR	LEVEL	STAIR	LEVEL

¹ See Table 1004.1.2 to determine whether net or gross area is applicable.

See definition "Area, Gross" and "Area, Net" (Section 1002)

² Minimum stairway width (Section 1005.1); min. corridor width (Section 1016.2); min. door width (Section 1018.1)

³ Minimum width of exit passageway (Section 1020.2)

⁴ See Section 1004.5 for converging exits.

⁵ The loss of one means of egress shall not reduce the available capacity to less than 50 percent of the total required (Section 1005.1)

⁶ Assembly occupancies (Section 1024)

STRUCTURAL DESIGN

DESIGN LOADS:

Importance Factors: Wind (I_W) _____
 Snow (I_S) _____
 Seismic (I_E) _____

Live Loads: Roof _____ psf
 Mezzanine _____ psf
 Floor _____ psf

Snow Load: _____ psf

Wind Load: Basic Wind Speed _____ mph (ASCE-7-02)
 Exposure Category _____
 Wind Base Shears (for MWFRS) $V_x =$ _____ $V_y =$ _____

SEISMIC DESIGN CATEGORY A

Compliance with Section 1616.4 only? ☐ Yes ☐ No

SEISMIC DESIGN CATEGORY ☐ B ☐ C ☐ D

Provide the following Seismic Design Parameters:

Seismic Use Group _____

Spectral Response Acceleration S_s _____ %g S_1 _____ %g

Site Classification _____ ☐ Field Test ☐ Presumptive ☐ Historical Data

Basic structural system (check one)

_____ Bearing Wall _____ Dual w/Special Moment Frame
 _____ Building Frame _____ Dual w/Intermediate R/C or Special Steel
 _____ Moment Frame _____ Inverted Pendulum

Seismic base shear $V_x =$ _____ $V_y =$ _____

Analysis Procedure _____ Simplified _____ Equivalent Lateral Force _____ Modal

Architectural, Mechanical, Components anchored? _____

LATERAL DESIGN CONTROL: Earthquake _____ Wind _____

SOIL BEARING CAPACITIES:

Field Test (provide copy of test report) _____ psf

Presumptive Bearing capacity _____ psf

Pile size, type, and capacity _____

PLUMBING FIXTURE REQUIREMENTS

USE	WATERCLOSETS		URINALS	LAVATORIES		SHOWERS/ TUBS	DRINKING FOUNTAINS	
	MALE	FEMALE		MALE	FEMALE		REGULAR	ACCESSIBLE
EXISTING								
NEW								
REQUIRED								

ACCESSIBLE PARKING

LOT OR PARKING AREA	TOTAL # OF PARKING SPACES		# OF ACCESSIBLE SPACES PROVIDED		TOTAL # ACCESSIBLE PROVIDED
	REQUIRED	PROVIDED	REGULAR WITH 5' ACCESS AISLE	VAN SPACES WITH 8' ACCESS AISLE	
TOTAL					

SPECIAL APPROVALS

Special approval: (Local Jurisdiction, Department of Insurance, OSC, DPI, DFS, ICC, etc., describe below)

ENERGY SUMMARY

ENERGY REQUIREMENTS:

The following data shall be considered minimum and any special attribute required to meet the energy code shall also be provided. Each Designer shall furnish the required portions of the project information for the plan data sheet. If energy cost budget method, state the annual energy cost budget vs allowable annual energy cost budget.

THERMAL ENVELOPE

Method of Compliance:

☐ Prescriptive ☐ Performance ☐ Energy Cost Budget

Roof/ceiling Assembly (each assembly)

Description of assembly
U-Value of total assembly
R-Value of insulation
Skylights in each assembly
 U-Value of skylight
 total square footage of skylights in each assembly

Exterior Walls (each assembly)

Description of assembly
U-Value of total assembly
R-Value of insulation
Openings (windows or doors with glazing)
 U-Value of assembly
 shading coefficient
 projection factor
 low e required, if applicable
Door R-Values

Walls adjacent to unconditioned space (each assembly)

Description of assembly
U-Value of total assembly
R-Value of insulation
Openings (windows or doors with glazing)
 U-Value of assembly
 Low e required, if applicable
Door R-Values

Walls below grade (each assembly)

Description of assembly
U-Value of total assembly
R-Value of insulation

Floors over unconditioned space (each assembly)

Description of assembly
U-Value of total assembly
R-Value of insulation

Floors slab on grade

Description of assembly
U-Value of total assembly
R-Value of insulation
Horizontal/vertical requirement
slab heated

ELECTRICAL SUMMARY

ELECTRICAL SYSTEM AND EQUIPMENT

Method of Compliance:

☐ Prescriptive ☐ Performance ☐ Energy Cost Budget

Lighting schedule

lamp type required in fixture
number of lamps in fixture
ballast type used in the fixture
number of ballasts in fixture
total wattage per fixture
total interior wattage specified vs allowed
total exterior wattage specified vs allowed

Equipment schedules with motors (not used for mechanical systems)

motor horsepower
number of phases
minimum efficiency
motor type
of poles

MECHANICAL SUMMARY

MECHANICAL SYSTEMS, SERVICE SYSTEMS AND EQUIPMENT

Method of Compliance

☐ Prescriptive ☐ Energy Cost Budget

Climate Zone _____

Thermal Zone

winter dry bulb
summer dry bulb

Interior design conditions

winter dry bulb
summer dry bulb
relative humidity

Building heating load

Building cooling load

Mechanical Spacing Conditioning System

Unitary

description of unit

heating efficiency

cooling efficiency

heat output of unit

cooling output of unit

Boiler

total boiler output. If oversized, state reason.

Chiller

total chiller capacity. If oversized, state reason.

List equipment efficiencies

Equipment schedules with motors (mechanical systems)

motor horsepower

number of phases

minimum efficiency

motor type

of poles



ROWAN COUNTY NORTH CAROLINA BUILDING PERMIT APPLICATION

CHECK ONE: ☒ COMMERCIAL ☐ RESIDENTIAL

Application Date: 01/29/08 TE 1/30/08

Name of Owner: Richard L. Parker and Dorcas Parker

Owner's Address: 155 Parkers Loop Mt. Ulla NC 28125
No. Street City State Zip
Job Site Address: 155 Parkers Loop Mt. Ulla NC 28125
No. Street City State Zip

Directions to Job Site: (from 402 N Main St, Salisbury)

Travel South on Main Street approximately 1.5 miles. Turn Right on Highway 150. Turn Right on Sherrill's Ford Road, and continue for 14 miles. Turn Left on Parkers Loop.

TAX ASSESSOR (Rm. 201) MUST SIGN
Before Permit is Issued

Permit No. _____

Map/Parcel # _____

Issue _____ Enter _____

BUILDING PERMIT MODULAR? ☐ Yes ☒ No Building Use NEW- RADIO TOWER Type of Construction COMMERCIAL

New Construction

Number of Bedrooms _____
(In new building or additions)

First Floor Sq Ft _____

Second Floor Sq Ft _____

Basement Sq Ft _____

Garage Sq Ft _____

Carport Sq Ft _____

Porch/ Deck Sq Ft _____

Other: Radio Tower _____

Renovation

(Includes: repair, alteration, relocation of building)

Description _____

Total Effected Area: 158.666 acres

Miscellaneous Fees

No. of Fireplaces _____

Sign (up to 300 sq ft) _____

Sign (over 300 sq ft) _____

Piers/Decks Sq Ft _____

Change of Occupancy _____

Pool Sq Ft _____

Pool Est. Value _____

Work Description: (Required) Construction of a 1200' broadcast tower and 192 sq.ft. access building for public and private use

Total Attached Sq Ft to be built: 192 sq ft

Building Permit Fee \$ _____

ELETRICAL PERMIT

Check One: ☐ Residential ☐ Commercial

Power Company Duke Power

Electrical Change of Service: Amperage from _____ to _____ Voltage from _____ to _____ Phase from 0 to _____

New Electrical Service: Amperage _____ Voltage _____ Phase: ☐ Single ☐ Phase 3
Check if Required: ☐ Swimming Pool ☐ LCD ☐ Conditional Power

Do you need Builder's Service? ☐ Yes ☐ No
Amperage _____ Voltage _____

Work Description: (Required)

To be determined at a later date

Builder's Service Permit No. _____ Electrical Permit No. _____ Electrical Permit Fee \$ _____

PLUMBING PERMIT

Mark Number of Each Fixture/Connection:

0 Commodes

0 Lavatories

0 Bathtubs

0 Showers

0

Sinks

0

Washing Machines

0

Dishwashers

0

Disposals

0

Floor Drains

0

SPA's

0

Water Heater - Elec

0

Water Heater - Gas

0

Water/Sewer Connections

0

Water/Sewer Service

0

Bidets

0

Urinals

Work Description: (Required) To be determined at a later date

Plumbing Permit No. _____ Plumbing Permit Fee \$ _____

MECHANICAL PERMIT

BTU's _____

Air Tons _____

Gas Company _____

No. of Units _____ Heating Unit, Air Conditioning, Split Unit

No. of Units _____ Heating Unit, Air Conditioning, Heating Pump Package

No. of Units _____ Heating Unit, Air Conditioning, Gas Pac

Other: _____

Space Heater or Gas Furnace: _____

Work Description: (Required) To be determined at a later date

Mechanical Permit No. _____ Mechanical Permit Fee \$ _____

Total Permit Fee \$ _____



ROWAN COUNTY NORTH CAROLINA BUILDING PERMIT APPLICATION SIGNATURE PAGE

.....
General Contractor or Homeowner Acting as their Own Contractor Signature:

The undersigned, agrees to comply with all applicable laws pertinent to the permit, and understand that this permit is valid only for the use specified above. Any deviation or misrepresentation shall result in the revocation of this permit pursuant to North Carolina General Statutes 143-137, 153-A-362, 160A-422.

Print Name: Richard Lee Parker

Signature: *Richard Lee Parker*

If Homeowner Acting as Own Contractor - Please Sign Additional Form

General Contractor Information:

Company Name: To be determined Company Address: _____

License No.: _____ Date _____ Phone No. _____

.....
Sub Contractor and/or Single Trade Signatures:

State of North Carolina: County of Rowan: Affidavit: I, being first duty sworn do hereby dispose and say: I am the holder of a North Carolina Contractor's License in the trade shown below. I do hereby further depose and say: I am the contractor of record of the work described on this application. Therefore, I hereby make application for a permit, inspection of work and agree to comply with all applicable laws regulating the work.

Electrical Contractor's Signature _____ License No. _____

Print Company Name _____ Address: _____ Phone No. _____

Email Address: _____

Plumbing Contractor's Signature _____ License No. _____

Print Company Name _____ Address: _____ Phone No. _____

Email Address: _____

Mechanical Contractor's Signature _____ License No. _____

Print Company Name _____ Address: _____ Phone No. _____

Email Address: _____

.....
Notice for Requesting Permit By Fax or Faxing in Signatures:

For ALL faxes please list a contact phone number: _____ and contact name: _____

Should the Inspections Department have questions, this phone number will be used to contact you.

After being called with the information above, the Contact must respond within 24 hours
or the permit will not be issued and/or signature request will be discarded.

If Faxing in Signatures Only...

Please send Signature Page ONLY and List the Permit Numbers here: _____

If Faxing in for Permit Issuance...

Please send both pages of the application and remember PERMIT WILL NOT BE ISSUED IF:

- ☐ Contractor's Information and License Number are not legible
- ☐ Complete directions from Main St, Salisbury are not given (PLEASE, no Map Quest)
- ☐ All work to be done is not fully explained (Especially Electrical and Mechanical Work)
(Include amps, volts, phase - change of service info - type of mech. unit, tons, BTU's, etc...)



OWNER ACTING AS THEIR OWN CONTRACTOR

N.C. General Statutes 87-1 states that a person constructing or altering a building on land owned by that person, may act as his or her own contractor provided that the building is intended solely ~~for occupancy by that person and his family. NCGS 87-1 further states that if the building is not occupied solely by such person and his family for at least 12 months following completion, it shall be presumed that the person did not intend the building solely for occupancy by that person and his family.~~

TC 1/30/09
RLP-1.30.09

I have read the above statement and understand that this building solely for use by me and my family.

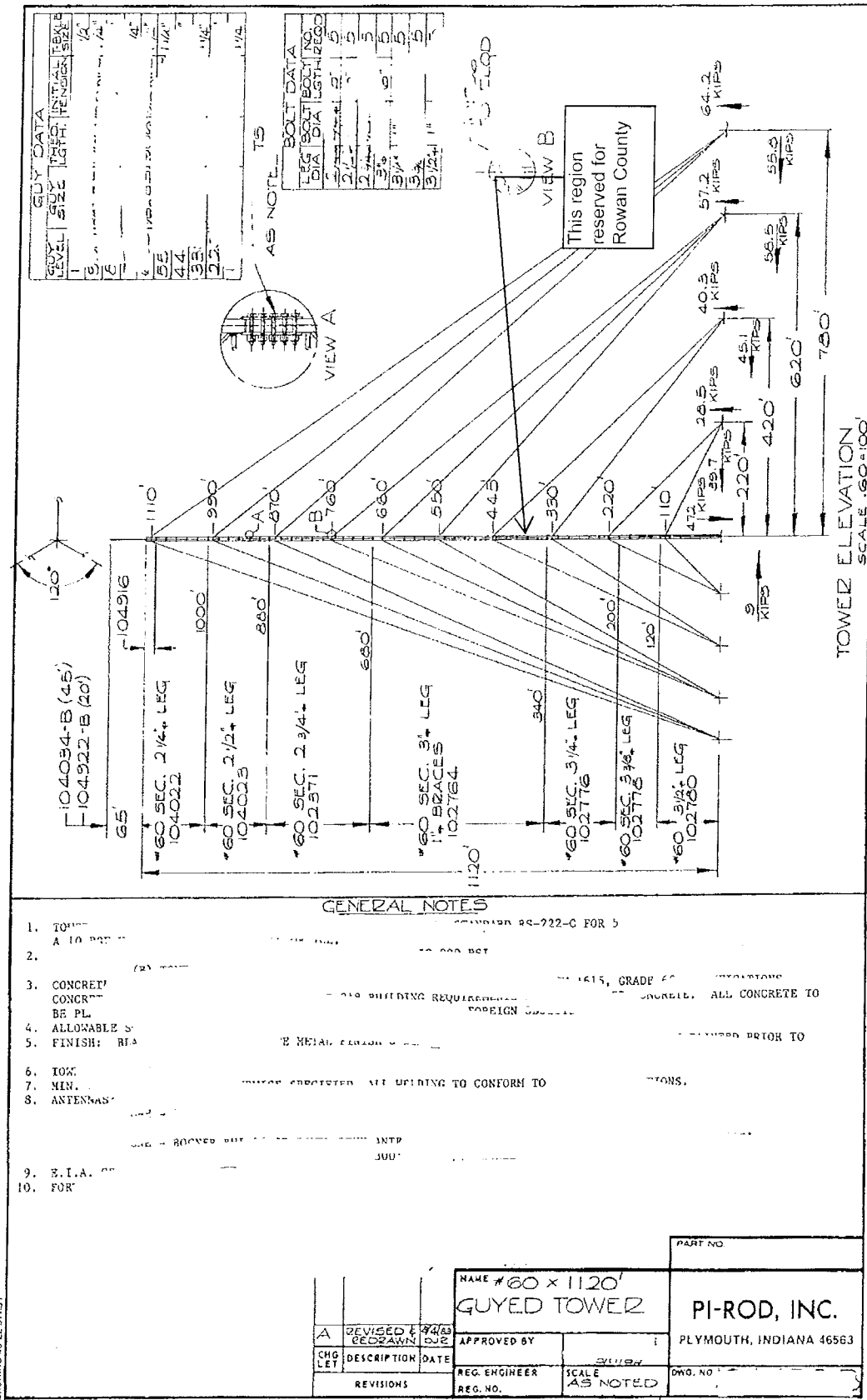
Street address of building to be permitted

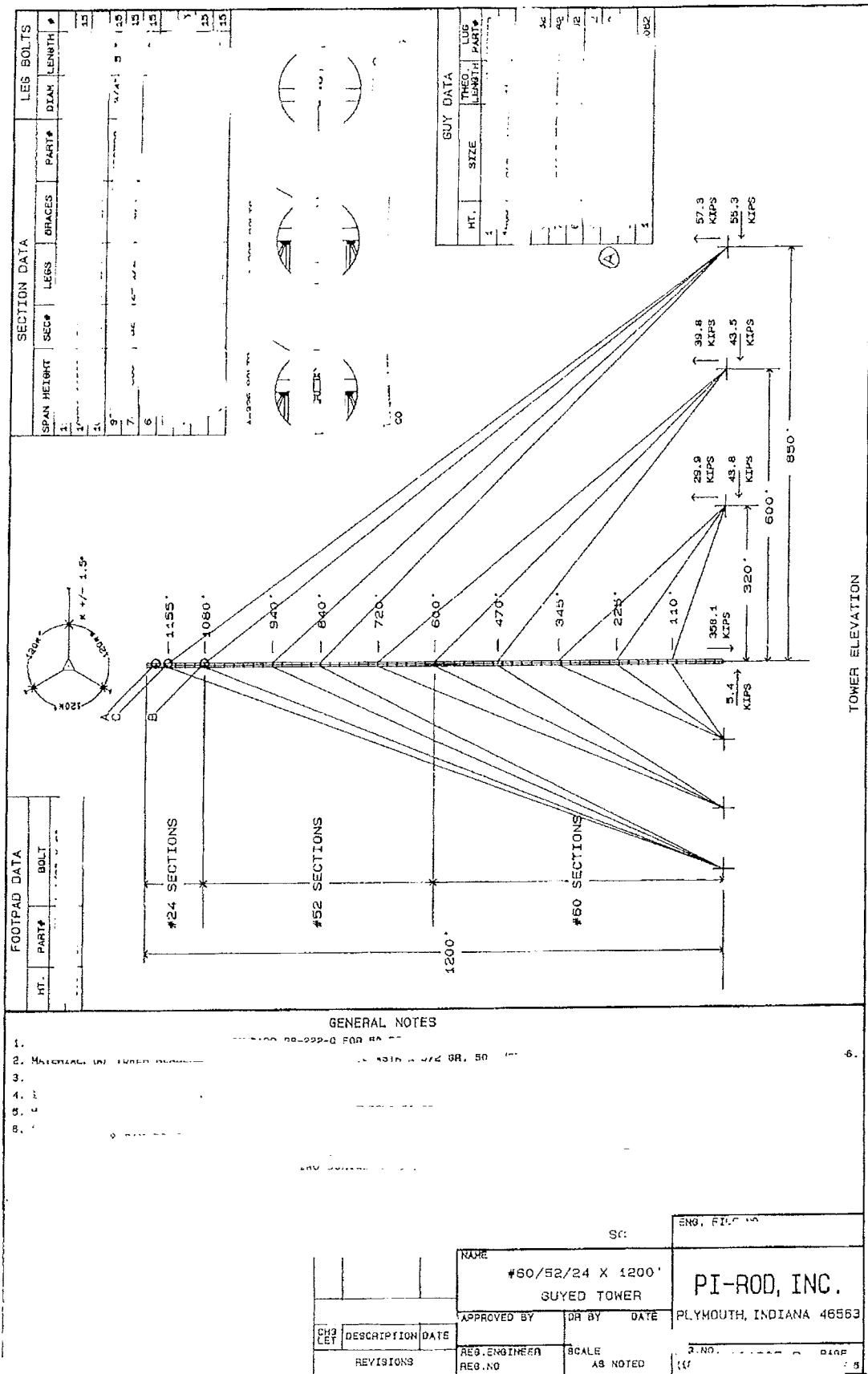
155 PARKER'S LOOP
MT. ULLA N.C. 28125

Richard Lee Park 1-30-09
Signed Date

Permit number and date _____

BRUNING 60-22 57251





GENERAL NOTES

- 1.
2. MATERIALS AND FABRICATION
- 3.
- 4.
- 5.
- 6.

REVISIONS

CHG	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

APPROVED BY

DR BY

DATE

SCALE

AS NOTED

ENG. FILE NO.

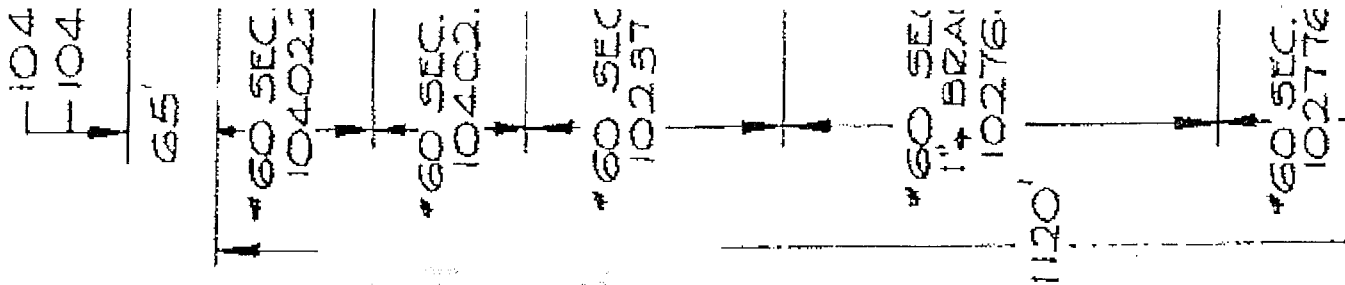
PI-ROD, INC.

PLYMOUTH, INDIANA 46563

2. NO.

DATE

FILE



GENERAL NOTES

REVISION RS-222-C F0

TO 000 BOT

161

NO BUILDING REQUIREMENTS
FOREIGN SITES

SECTION 1

ALL ARE BEING TO CONFORM TO

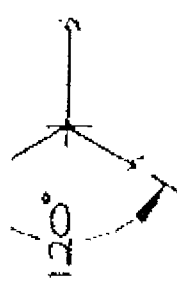
INTP
300'

1. TO
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3. CONCRETE
4. CONCRETE
5. BE PL
6. ALLOWABLE S
7. FINISH: RIA
8. TOX
9. MIN.
10. ANTENNAS

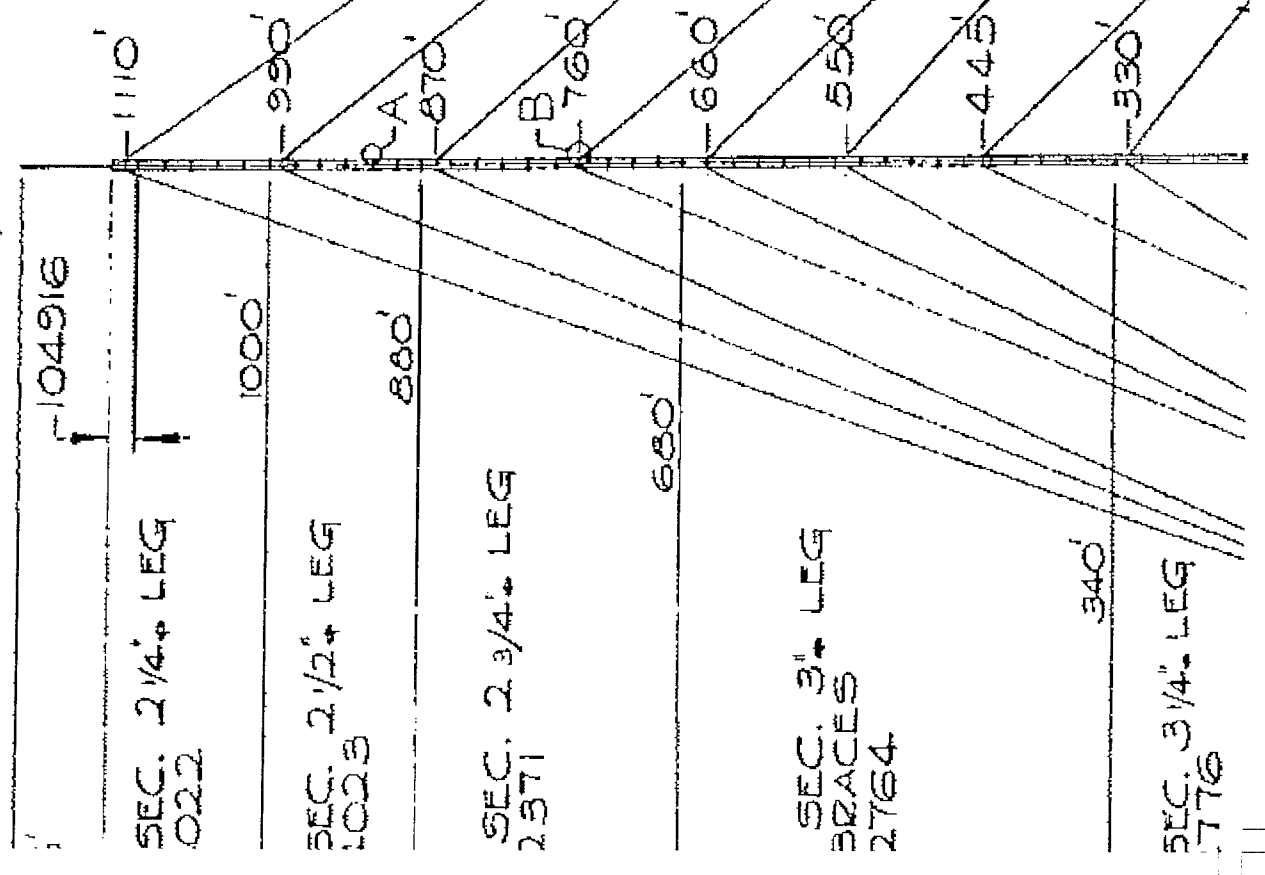
1. E.I.A.
2. FOR

The elevation on the tower between approximately 300 and 425 feet will be set aside for the use of Rowan County for it's emergency services antenna mounting.

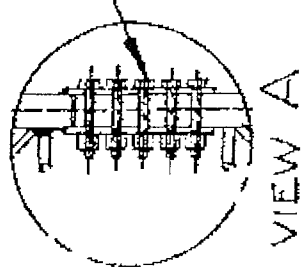
NAME #60 x 112		
GUYED TOW		
A	REVISED & REDRAWN	8/4/83
CHG	DESCRIPTION	DATE
LET		
REVISIONS		APPROVED BY
		REG. ENGINEER
		REG. NO.
		SCALE
		AS



104034-B (45')
104922-B (20')

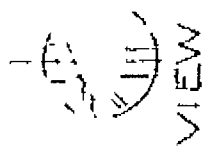


GUY LEVEL	GUY SIZE	LEG
1	3"	104034-B
2	3"	104922-B
3	3"	104922-B
4	3"	104922-B
5	3"	104922-B
6	3"	104922-B
7	3"	104922-B
8	3"	104922-B
9	3"	104922-B
10	3"	104922-B
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97	3"	104922-B
98	3"	104922-B
99	3"	104922-B
100	3"	104922-B



AS NOTE

LEG DIA
2 1/4"
2 1/2"
2 3/4"
3"
3 1/4"
3 1/2"
3 3/4"
4"



☒ BUFF
☐ OZARK
☐ GREY
☐ OTHER

JOB NO.

0901-17

SITE NAME

MT. ULLA TOWNSHIP, ROWAN COUNTY, NC

SIZE

12' W OD X 16' L OD X 9' H ID

DRAWING TITLE

DRAWING NUMBER

DRAWING INDEX

AGB8204

PAGE 1 OF 8

REVISION LOG

AGB8204

PAGE 2 OF 8

INTERIOR LAYOUTS

AGB8204

PAGE 3 OF 8

ELEVATION VIEWS

AGB8204

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GENERAL NOTES

ACB8204

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BUILDING CONSTRUCTION DETAILS

AGB8204

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BUILDING CONSTRUCTION DETAILS

AGB8204

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BUILDING CONSTRUCTION DETAILS

AGB8204

PAGE 8 OF 8

BUILDING SKID ASSEMBLY

15B1216

PAGE 1 OF 1

BUILDING FOUNDATION ASSEMBLY

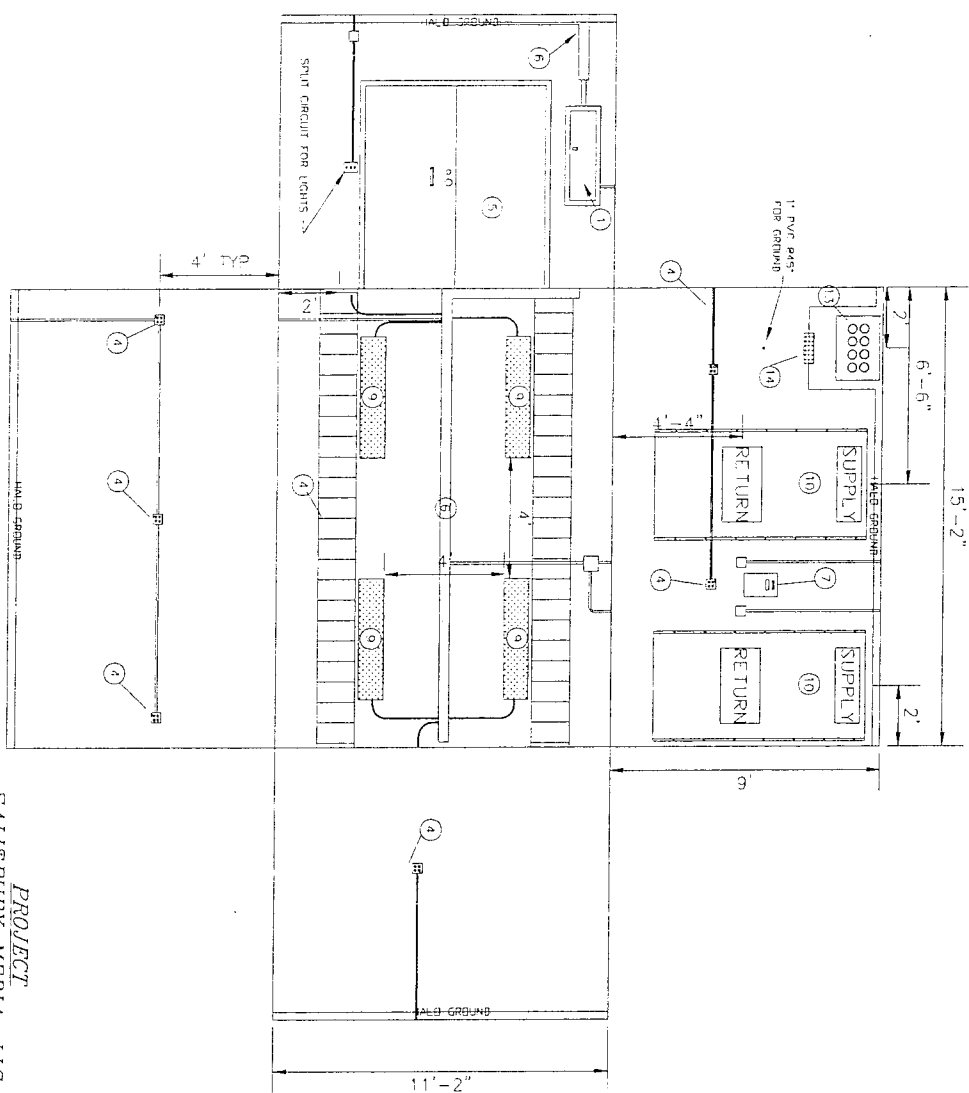
S15B1216

PAGE 1 OF 1

THERMO BOND BUILDINGS, LLC P.O. Box 445, Elk Point, SD	
Scale	NONE
Date	1/22/09
Drawn By	TLH
Approved By	
Title DRAWING INDEX	
Revisited COMMENTS AND DRAWING REVISIONS	Drawing Number AG38204 PAGE 1 OF 8

- NOTE:
1. ALL DIMENSIONS ARE INSIDE DIMENSIONS.
 2. CABLE LADDER TO BE MOUNTED 7'-4" A.F.F.

TENNESSEE PLAN # TBB-12

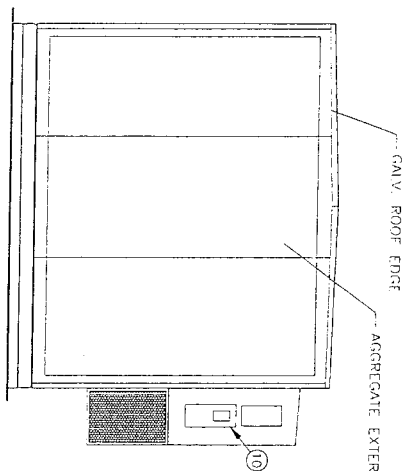


NO.	QTY.	DESCRIPTION
14.	1	4" X 12" X 1/4" MASTER GROUND BAR, C1114412
13.	1	6'-4" ENTRANCE PORTS, MICRO-LECT B576
12.	1	100W. EXTERIOR LIGHT FIXTURE W/VANDALPROOF LENS AND SWITCH
11.	A/R	15" CABLE LADDER RACK MOUNTED 7'4" A.F.F.
10	2	WALL MOUNTED AIR CONDITIONER, BARD 5 TON W/9KW HEAT #WAB02-B09EPXXJ
9.	4	4, 2 BULB FLUORESCENT LIGHT FIXTURE
8.	1	120V., 20A. EXTERIOR GFI DUPLEX RECEPTACLE
7.	1	AIR CONDITIONER MASTER CONTROLLER #MC1000
6.	A/R	4" WIRE RACEWAY W/HINGED COVER
5.	1	6" X 6'-8" DOUBLE STEEL INSULATED DOOR AND FRAME W/ BAKED ON ENAMEL PAINT (PLYGO, SERIES 88) W/S.S. BALL BEARING HINGES W/NON REMOVABLE PINS.
4.	6	120V., 20A. QUADPLEX RECEPTACLE
3.	3	120V., 20A. QUADPLEX RECEPTACLE
2.	1	EXTERIOR GFI
1.	1	200A. 120/208V. THREE PHASE, 42 POSITION DISTRIBUTION PANEL W/200 A. MAIN MCM 1 ENCLOSURE, SQUARE D #OD342M0200 EQUIVALENT

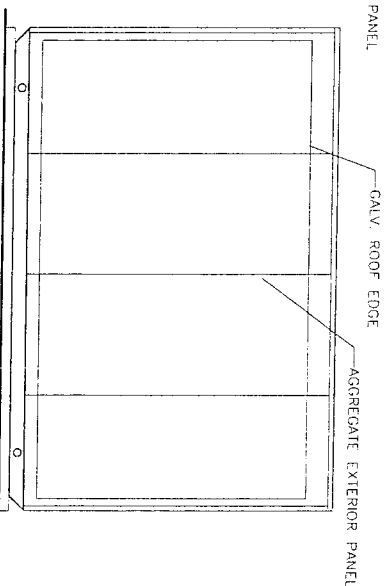
LIST OF MATERIAL

THERMO BOND BUILDINGS, LLC. P.O. Box 445, Elk Point, SD	
Scale: 1/4" = 1' Date: 1/22/09 Drawn By: TLH Approved By:	Title: INTERIOR LAYOUT FOR 12'W. X 16'L. X 9'H. BLDG. Revised: Drawing Number: ACHR204 PROJECT DATA SHEET ATTACH

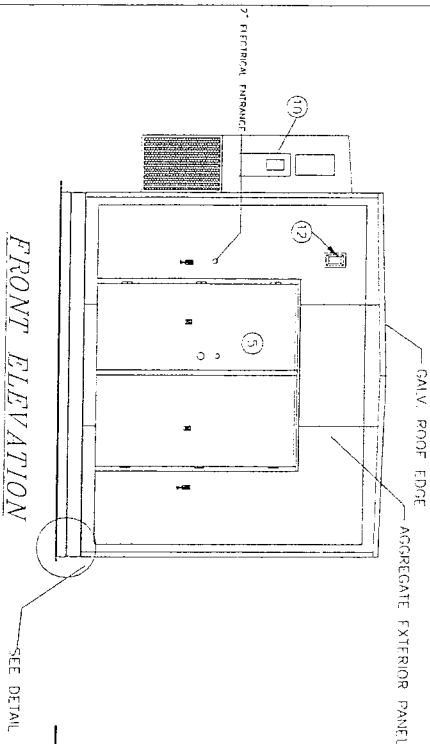
PROJECT
SALISBURY MEDIA, LLC
JOB NO. 0301-17
SITE NAME
MT. ULLA TOWNSHIP, ROWAN COUNTY, NC



REAR ELEVATION

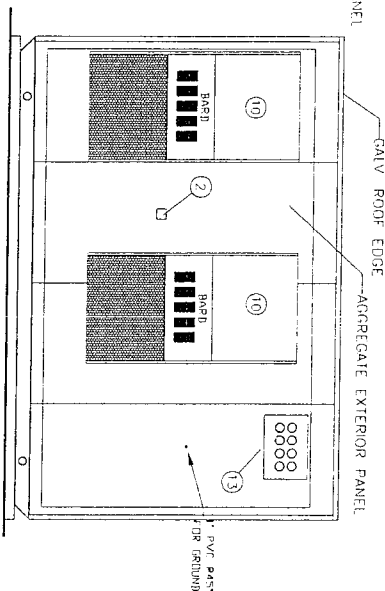


RIGHT ELEVATION

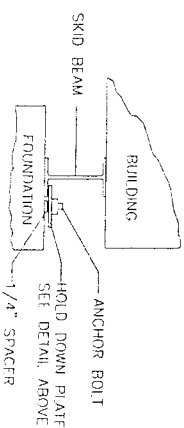
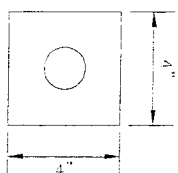


FRONT ELEVATION

SEE DETAIL "A"



LEFT ELEVATION

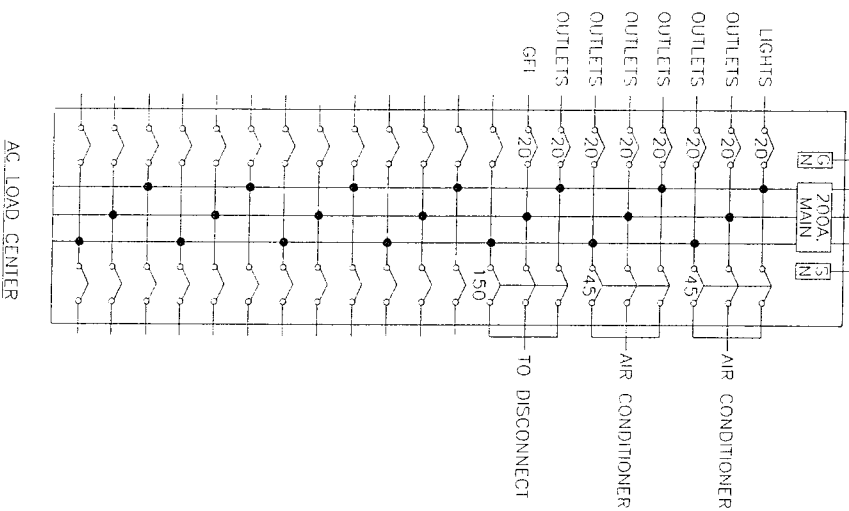


DETAIL "A"

PROJECT
SALISBURY MEDIA, LLC
JOB NO.
0901-17
SITE NAME
MT. ULLA TOWNSHIP, ROWAN COUNTY, NC

THERMO BOND	
P.O. Box 445 Elk Point, SD	
Scale: 1/4" = 1'	File:
Date: 1/22/09	12'W. X 16'L. X 9'H. BLDG.
Drawn By: TLH	Revised:
Approved By:	Revision Number: AG88204
PAGE 4 OF 8	

120/208 A.C. 60 HZ
3 PHASE, 200A, 4 WIRE



AC LOAD CENTER

PROJECT
SALISBURY MEDIA, LLC
JOB NO.
0901-17
SITE NAME
MT. ULLA TOWNSHIP, ROWAN COUNTY, NC

THERMO BOND BUILDINGS, LLC	
P.O. Box 445 Elk Point, SD	
Scale: NONE	Title: AC LOAD CENTER
Date: 1/22/09	Revised:
Drawn By: LH	Drawing Number: ACBR204
Approved By:	Counters and generic symbols
Page 5 of 8	

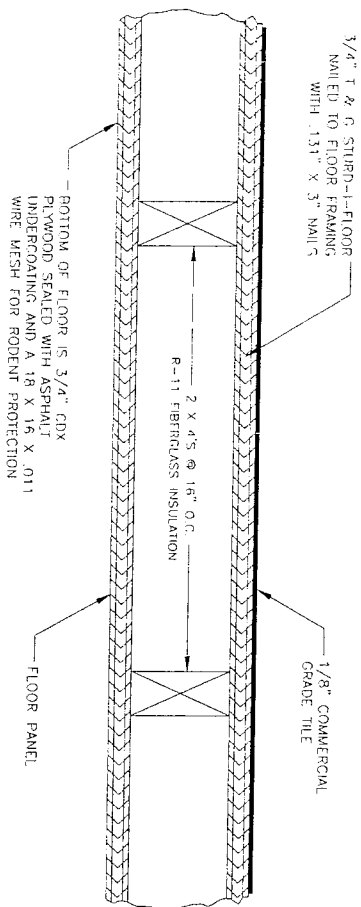


MT. ULLA TOWNSHIP, ROWAN COUNTY, NC

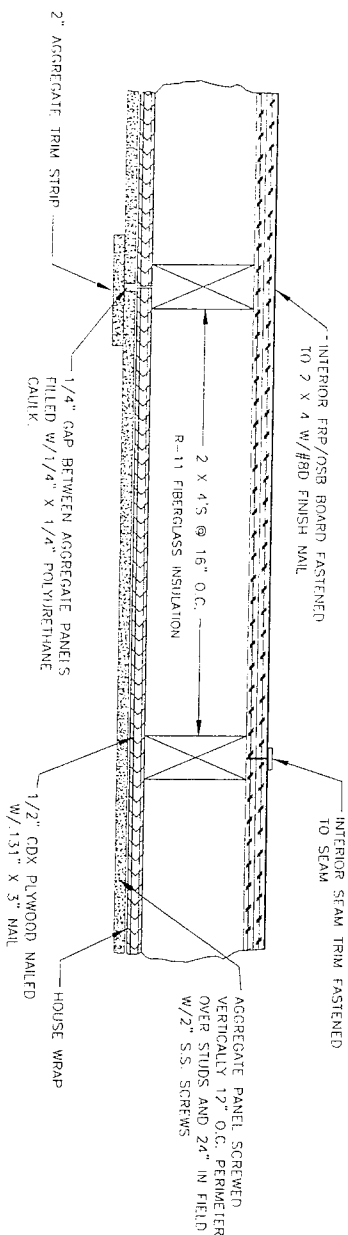
PROJECT
STURDY MEDIA, LLC
JOB NO.
0901-17
SITE NAME

BUILDINGS - L.T.C.					
THERMO BOND					
P.O. Box 445 Elk Point, SD					
Scale:	NONE	Title:	BUILDING CONSTRUCTION DETAILS		
Date:	1/22/09				
Drawn By:	TLH	Reviewed:			
Approved By:		Comments and/or change markings			
			Drawing Number AGB8204 PAGE 6 OF 8		

- NOTES:
1. ALL PLYWOOD SHALL BE NAILED EVERY 6" AROUND PERIMETER AND EVERY 12" IN FIELD.
 2. HOUSE WRAP TO BE INSTALLED 1/8" BELOW SHEETING AND EXTEND TO TOP OF TOP PLATE. ALL SEAMS TO BE LAPPED 6" AND TAPED W/SEAM TAPE.
 3. ALL SCREW HOLES THROUGH PANELS FILLED WITH POLYURETHANE CAULK PRIOR TO SCREW BEING INSTALLED.
 4. ALL STRUCTURAL LUMBER SHALL BE SPF #1 OR #2



FLOOR DETAIL

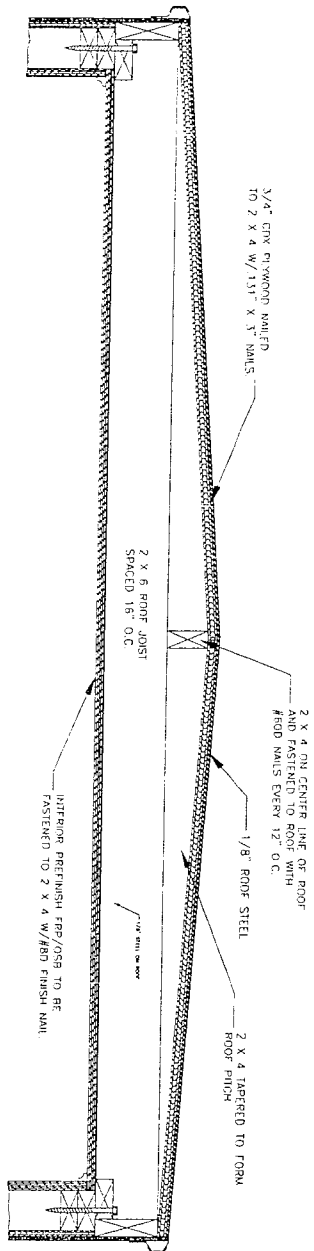


WALL DETAIL

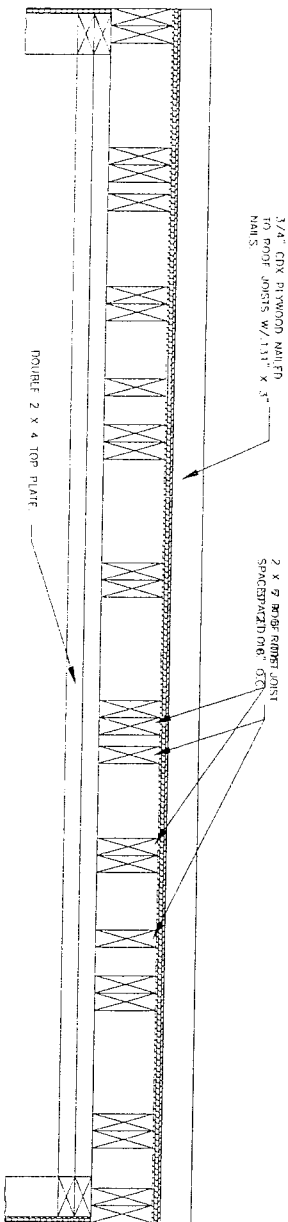
PROJECT
SALISBURY MEDIA, LLC
JOB NO.
0901-17
SITE NAME
MT. ULLA TOWNSHIP, KOWAN COUNTY, NC

- NOTES:
1. ALL PLYWOOD SHALL BE NAILED EVERY 6" AROUND PERIMETER AND EVERY 12" IN FIELD.
 2. HOUSE WRAP TO BE INSTALLED 1/8" BELOW SHEETING AND EXTEND TO TOP OF TOP PLATE. ALL SEAMS TO BE LAPPED 6" AND TAPED W/SEAM TAPE.
 3. ALL SCREW HOLES THROUGH PANELS FILLED WITH POLYURETHANE CAULK PRIOR TO SCREW BEING INSTALLED.
 4. ALL STRUCTURAL LUMBER SHALL BE SPF #1 OR #2.

THERMO BOND BUILDINGS, L.L.C. P.O. Box 445 Elk Point, SD	
Scale	NONE
Date	1/22/09
Drawn By	TLH
Revised	
Approved By	
Title BUILDING CONSTRUCTION DETAILS	
Drawing Number	AGB8204
Page 7 of 8	



ROOF STRUCTURE END DETAIL



ROOF STRUCTURE SIDE DETAIL

PROJECT
SALISBURY MEDIA, LLC
JOB NO. 0301-17
SITE NAME
MT. ULLA TOWNSHIP, ROWAN COUNTY, NC

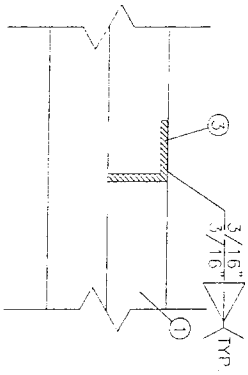
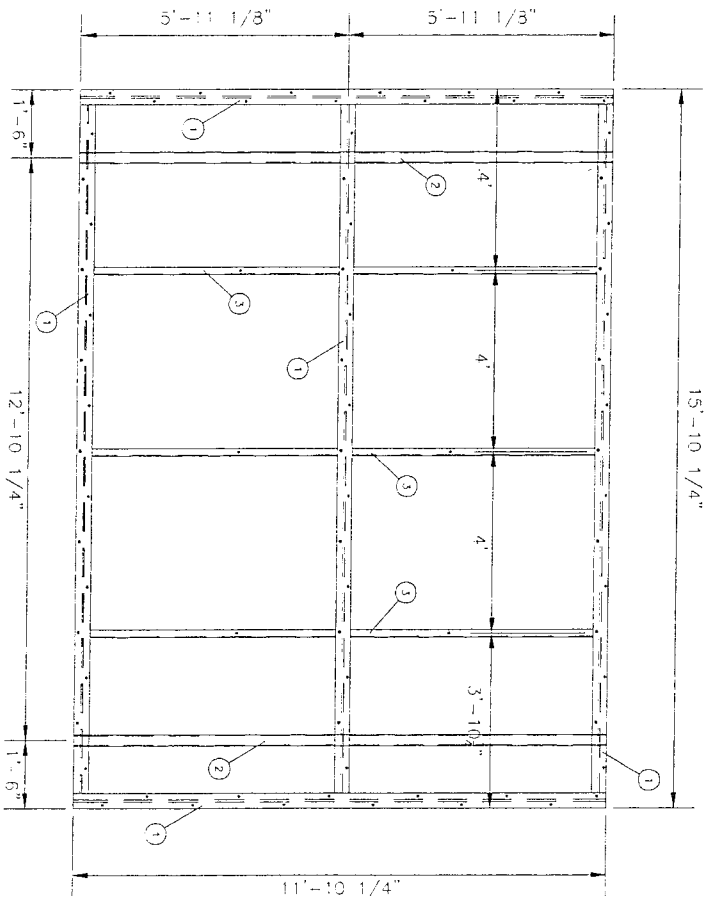
NOTES:

1. ALL PLYWOOD SHALL BE NAILED EVERY 6" AROUND PERIMETER AND EVERY 12" IN FIELD.
2. HOUSE WRAP TO BE INSTALLED 1/8" BELOW SHEETING, AND EXTEND TO TOP OF TOP PLATE. ALL SEAMS TO BE LAPPED 6" AND TAPED W/SEAM TAPE.
3. ALL SCREW HOLES THROUGH PANELS FILLED WITH POLYURETHANE CAULK PRIOR TO SCREW BEING INSTALLED.
4. ALL STRUCTURAL LUMBER SHALL BE SPF #1 OR #2

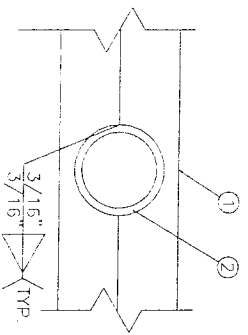
THERMO BOND

P.O. Box 445 Elk Point, SD

Scale:	NONE	Title:	BUILDING CONSTRUCTION DETAILS
Date:	1/22/09	Drawn By:	TLH
Reviewed:		Drawn Number:	ACB8204
Approved By:		Project:	MT. ULLA TOWNSHIP, ROWAN COUNTY, NC



SECTION "A-A"
3" = 1' SCALE



SECTION "B-B"
3" = 1' SCALE

WELDED ASSEMBLY

3/8" = 1' SCALE

TOP VIEW

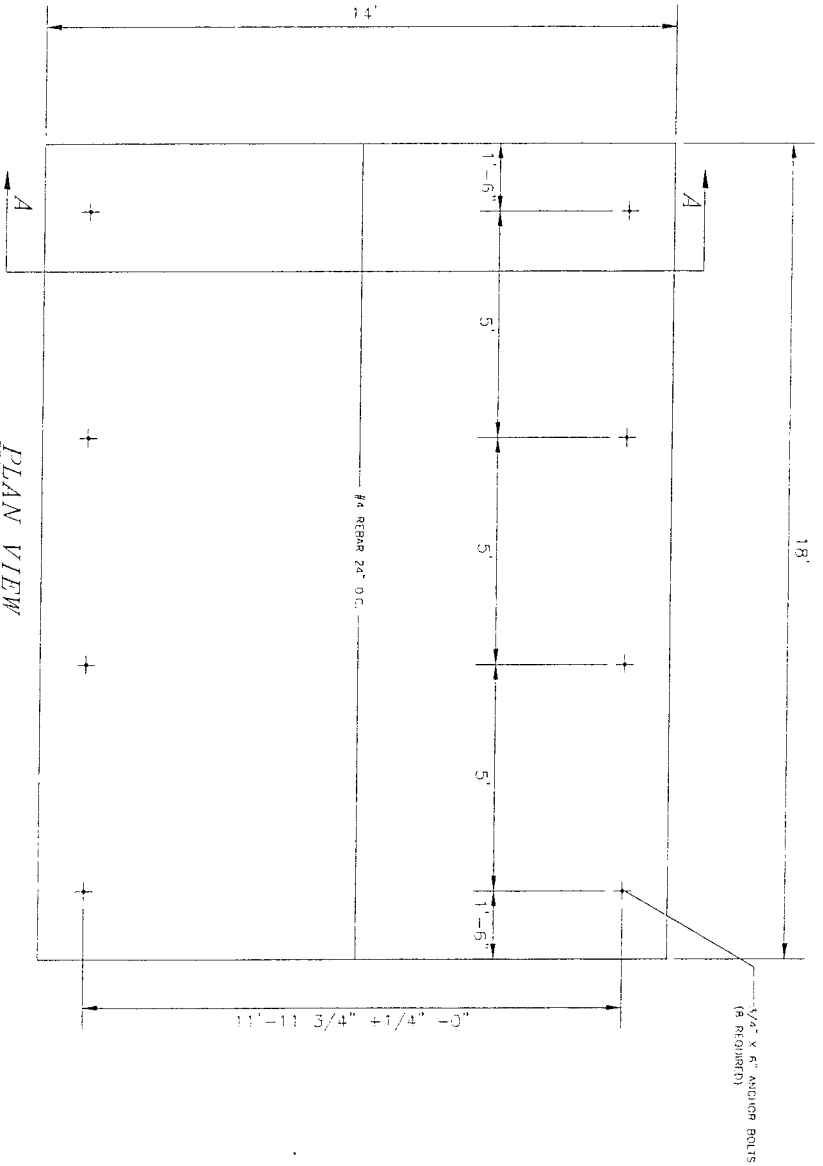
- NOTES:
1. FINISH: PAINTED WITH RUST PREVENTATIVE PAINT.

UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS SHOWN ON THIS DRAWING SHALL HAVE THE FOLLOWING TOLERANCE:
FRACTION $\pm 1/8"$
ANGLE $\pm 2^\circ$

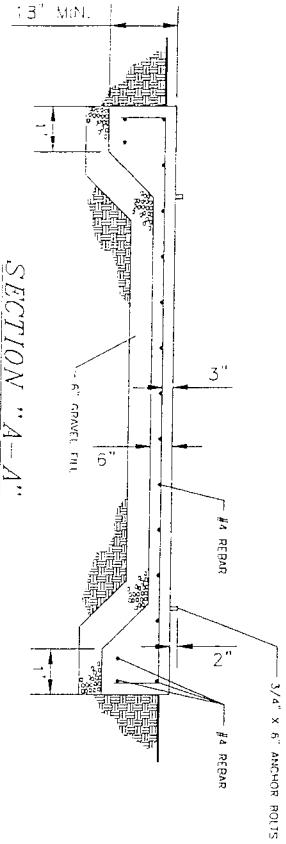
NO.	QTY	DESC NO.	DESCRIPTION	WEIGHT
1.	2	15B7002	ANGLE, SUPPORT (2 X 2 X 1/4)	103.9#
2.	2	15B6020	PIPE, SUPPORT (3" NOM. SCH 40)	179.7#
3.	2	15B6020	BEAM, SUPPORT (W6 X 9#)	623.4#

LIST OF MATERIAL

THERMO BOND BUILDINGS, INC. P.O. Box 445 Elk Point, SD	
Scale: AS NOTED Date: 3/19/04 Drawn By: TLH Approved By:	Title: BOX BUILDING SKID ASSEMBLY FOR 12' X 16' BUILDING Project: Drawing Number: 15B1216 Page 1 OF 1



PLAN VIEW



SECTION "A-A"

NOTES:

1. CONCRETE SHALL ATTAIN A MINIMUM ULTIMATE COMPRESSION STRENGTH OF 4000 PSI WITHIN 28 DAYS.
2. ALL WIRE MESH TO HAVE A MINIMUM OF 2" CONCRETE COVER.

THERMO BOND

P.O. Box 445 Elk Point, SD

Scale: 3/8" = 1'	Title: SLAB BUILDING FOUNDATION FOR 12' X 16' BUILDING
Date: 3/19/04	Revised:
Drawn By: TLH	Drawing Number: 515B1216
Approved By:	Computer Aided Design: 5/19/04